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PART THREE: MANAGEMENT OF THE NATIONAL PARK SERVICE
(To Be Added)

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Foreword

Law, Policy, and Guidelines

Policy originates in law. The U.S. Constitution as the supreme law of the United States recognizes the Congress as the principal body for making national park, recreation, and cultural resource preservation policy through the property clause: "The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" (article IV, section 3). Authority for interpreting and implementing policy is delegated to appropriate levels of government.

The management of the national park system and NPS programs is guided by the Constitution, public laws, proclamations, executive orders, rules and regulations, and directives of the Secretary of the Interior and the Assistant Secretary for Fish and Wildlife and Parks. NPS policy must be consistent with these higher authorities and with appropriate delegations of authority. Many of the statutes and other guidance affecting the various facets of NPS administration and management are cited for reference purposes throughout the NPS *Management Policies.* Other laws, regulations, and policies related to the administration of federal programs, although not cited, may also apply. For example, many but not all of the legislative exceptions of the Alaska National Interest Lands Conservation Act are cited at different places throughout the policies. The additional legislative exceptions of ANILCA, although not cited, must also be considered in the interpretation and application of these policies, as must all other applicable legislative exceptions and requirements.

Policy sets the framework and provides direction for management decisions. Policy direction may be general or specific: It may prescribe the process by which decisions are made, how an action is to be accomplished, or the results to be achieved.

All policy will be articulated in writing, approved by an NPS official authorized to issue the policy, and published or otherwise made available to those whom it affects and those who must implement it in the Washington office, regional offices, and parks. Unwritten or informal "policy" and people's various understandings of NPS traditional practices will not be relied on as official policy.

Servicewide policy will be articulated by the Director of the National Park Service. Instructions, guidance, and directives of regional or otherwise limited application that are supplementary to and in conformance with applicable NPS policies may be issued by regional directors or associate directors within formal delegations of authority. Park-specific instructions, procedures, directives, and other guidance supplementary to and in conformance with applicable NPS policies (such as hours of operation or the dates for seasonal openings) may be set by superintendents within formal delegations of authority.

Adherence to policy will be mandatory unless waived or modified by an appropriate authority. Servicewide policy may be waived only by the Secretary, the Assistant Secretary, or the Director. Policy waivers and modifications will be considered on a case-by-case basis, and previous waivers or modifications will not necessarily be regarded as precedents for similar waivers or modifications.

The following NPS *Management Policies* is the basic servicewide policy document of the National Park Service and will be revised at appropriate intervals to consolidate servicewide policy decisions.

Servicewide policy may be updated and amended by special directives issued periodically by the Director. Any previously dated statement of policy not consistent with these *Management Policies* is to be disregarded.

Recommended procedures for implementing servicewide policy are described in the NPS guideline series. NPS guidelines generally allow for management discretion; however, they are mandatory where the language so indicates.

It is the responsibility of all NPS officials and employees to be informed about and knowledgeable of all policies affecting their work and areas of responsibility.

Part One

Management of the National Park System

1 Introduction

1 Introduction

The world's first national park – Yellowstone – was created in 1872, at which time Congress set aside more than 2 million acres as "a public park or pleasuring-ground for the benefit and enjoyment of the people." The legislation assigned the new park to the control of the Secretary of the Interior, who would be responsible for issuing regulations to provide for the "preservation, from injury or spoilation, of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition." Other park management functions were to include the development of visitor accommodations, the construction of roads and bridle trails, the removal of trespassers from the park, and protection "against the wanton destruction of fish and game" (16 USC 21-22).

This idea of a national park was an American invention of historic consequences, marking the beginning of a worldwide movement that has subsequently spread to more than 100 countries and 1,200 national parks and conservation preserves. However, when Yellowstone National Park was created, no concept or plan existed to build a system of such parks. The concept now described as the national park system, embracing a wide variety of natural and cultural resources nationwide, evolved slowly over the years, often through the consolidation of federal land management responsibilities.

At the same time that interest was growing in preserving the great scenic wonders of the West, efforts were also underway to protect the sites and structures associated with early native American culture, particularly in the Southwest. In 1906 the Antiquities Act authorized the President "to declare by public proclamation [as national monuments] historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest" (16 USC 431-33).

In 1916 Congress created the National Park Service in the Department of the Interior to

> promote and regulate the use of the Federal areas known as national parks, monuments, and reservations . . . by such means and measures as conform to the fundamental purpose of said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (NPS organic act, 16 USC 1)

This language lies at the heart of national park system management philosophy and policy, although its interpretation has not been without controversy or differences over the years.

Significant growth in the number and diversity of parks occurred as a result of a 1933 government reorganization, again following World War II, and during the 1960s. By 1970 the national park system had grown to encompass a diverse collection of "superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions." That year

Congress formally recognized the existence of this system of areas managed by the National Park Service, and went on to declare

> that these areas, though distinct in character, are united through their interrelated purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people. . . ; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the system. (16 USC 1a-1)

Congress amended this statement in the act of March 27, 1978 (the act expanding Redwood National Park), to add:

> The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress. (16 USC 1a-1)

The General Authorities Act of 1970 defines the national park system as including "any area of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes" (16 USC 1c(a)). It states that "each area within the national park system shall be administered in accordance with the provisions of any statute made specifically applicable to that area" (16 USC 1c(b)) and in addition with the various authorities relating generally to NPS areas, as long as the general legislation does not conflict with specific provisions.

Congress has stated in the enabling legislation of most units of the national park system that they have their own particular purposes and objectives. For example, Monocacy National Battlefield was created "to commemorate the Battle of Monocacy, Maryland, and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein" (act of June 21, 1934, authorizing what was then called Monocacy National Military Park). In comparison, Gates of the Arctic National Park and Preserve was established "to maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities; and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep, moose, wolves and raptorial birds" (Alaska National Interest Lands Conservation Act, December 2, 1980).

Park managers should ascertain park-specific purposes and management direction by reading the park's enabling legislation or proclamation and determine general management direction, not inconsistent with the enabling legislation, from the organic act. Wide variations exist in the degree to which the laws and proclamations creating the individual units of the national park system prohibit or mandate specific management actions. Where Congress has provided specific guidance on particular management actions, it is to be followed. Exceptions from general authorities range from permitting the picking of cactus fruit by Indians of the Papago Reservation at Organ Pipe Cactus National Monument to the more extensive specific exceptions for the Alaska parks contained

in the Alaska National Interest Lands Conservation Act (16 USC 3101 et seq.). Absent such specific legislative exceptions, general NPS legal mandates and policies will apply.

Today more than 340 units of the national park system are under the custody and care of the National Park Service. These units are variously designated as national parks, monuments, preserves, lakeshores, seashores, historic sites, military parks, battlefields, historical parks, recreation areas, memorials, and parkways. These titles reflect the great diversity of the national park system, but they should not be interpreted as implying differences in importance. Each unit is to be given the full protection of the laws affecting the system and the full accountability of the National Park Service in applying the policies and practices of park management. For the purpose of these NPS *Management Policies*, hereafter all units will be referred to as parks.

The parks' equality of status does not, of course, relieve NPS decision makers from having to distinguish and decide among competing priorities for the limited resources available to administer the system. Such decisions must be based on congressional mandates, need, or systematic priority-setting rationales.

The individual parks contain various tangible natural and cultural features such as animals, plants, waters, geologic features, historic buildings and monuments, and archeological sites. They also have intangible qualities such as natural quiet, solitude, space, scenery, a sense of history, sounds of nature, and clear night skies that have received congressional recognition and are important components of people's enjoyment of parks. These NPS *Management Policies* use the terms resources and values to mean the full spectrum of tangible and intangible attributes for which parks have been established and are being managed.

These NPS *Management Policies* recognize that all parks are complex mixtures of values and resources, each with its own unique qualities and purposes, each requiring specific treatment in the development and implementation of management strategies and operational plans. However, the managers of all parks are required to apply policies in a consistent and professional manner to achieve the congressional mandate for management of the national park system.

As discussed earlier, Congress's mandate to the Park Service has been expressed as conserving resources while providing for their enjoyment by today's citizens in a manner that will leave them unimpaired for future generations. There will inevitably be some tension between conservation of resources on the one hand and public enjoyment on the other. The National Park Service is charged with the difficult task of achieving both. As the population of the United States increases and becomes more urbanized, education and interpretation will become increasingly important in acquainting the public with its responsibility to protect resources while using them. But if and when a superintendent has a reasonable basis to believe a resource is or would become impaired, the Park Service may, as one of its management tools, temporarily close a specific area or otherwise place limitations on public use.

The word "unimpaired" plays an important role in the conservation of resources and providing for present-day public enjoyment. Both physical resources, such as wildlife and geologic features, and intangible values, such as scenic vistas and solitude, may be impaired. Over the years, legislative and administrative actions have been taken that have brought some measure of change to these components of our national parks. Such actions impact park resources, yet they are not necessarily deemed to have impaired resources for the enjoyment of future generations. Whether an individual action is or is not an "impairment" is a management determination. In reaching it, the manager should consider such factors as the spatial and temporal extent of the impacts, the resources being impacted and their ability to adjust to those impacts, the relation of the impacted resources to other park resources, and the cumulative as well as the individual effects.

It is NPS policy to treat potential impairments in the same manner as known impairments. When there is thought to be potential for resource impairment, actions will be based on strategies that retain the resource in an unimpaired condition until such time as doubts are resolved. For example, if a development might impair a park resource, the development will be postponed or reconfigured until it can be established whether "might" is "will" or "will not," within reasonable limits of certainty. Absent that assurance, the action will not be taken.

To fulfill the Park Service's mandate to preserve natural and cultural resources unimpaired for future generations, it is no longer sufficient to consider strategies and actions solely within the boundaries of the parks. While the National Park Service does not support the creation of buffer zones around the parks or seek veto power over activities on adjacent lands, it will work cooperatively with surrounding landowners and managers to help ensure that actions outside the parks do not impair park resources and values.

When the need for management policies in the National Park Service was first articulated by Secretary of the Interior Franklin K. Lane in a letter to the first Director of the National Park Service, Stephen T. Mather, on May 13, 1918, Secretary Lane stated that administrative policy should be based on three broad principles:

> First, that the national parks must be maintained in absolutely unimpaired form for the use of future generations as well as those of our own time; second, that they are set apart for the use, observation, health, and pleasure of the people; and third, that the national interest must dictate all decisions affecting public or private enterprise in the parks.

These principles, based on the 1916 organic act, remain as valid for the policies in the following chapters as they were when they were first written.

2 Park System Planning

2 Park System Planning

The National Park Service will conduct planning activities to evaluate possible additions to the national park system; to identify how park resources will be preserved and how parks will be used and developed to provide for public enjoyment; to facilitate coordination with other agencies and interests; and to involve the public in decision making about park resources, activities, and facilities. NPS plans will represent the Park Service's commitment to the public and to Congress of how parks will be managed.

NEW AREA STUDIES AND CRITERIA

The National Park Service identifies nationally significant natural, cultural, and recreational resources and assists in their preservation both inside and outside the national park system. The areas managed by the National Park Service are only one part of a national inventory of special and protected areas managed by innumerable federal, state, and local agencies and the private sector. Consequently, addition to the national park system is only one of many alternatives for ensuring the preservation of significant national resources for public enjoyment and benefit. A great variety of specially designated areas, including natural landmarks, historic landmarks, wild and scenic rivers, trails, wilderness areas, areas of critical environmental concern, biosphere reserves, and recreation areas, managed by the U.S. Forest Service, Fish and Wildlife Service, Bureau of Land Management, other federal, state, county, and local agencies, native American authorities, and the private sector, complete the broader national inventory.

As directed by Congress (16 USC 1a-5), the National Park Service will study and monitor areas to determine if they are nationally significant, and if so, whether they have potential for inclusion in the national park system. Planning for the future of the national park system is guided by a framework of themes representing all the aspects of America's natural and cultural heritage. Additions to the system recognize new understanding of natural resources, national recreational trends, and the continuing progression of history. New area studies may be initiated within the Service or may be conducted in response to requests from Congress, other federal, state, or local agencies, or the private sector. The Service will review all proposals and provide advice about planning, studies, or other appropriate actions. Where formal new area studies are appropriate, the Service will establish priorities and conduct studies as funds are available. Studies will include consultation with interested landowners, state and local governments, native American tribes and groups, and other federal agencies.

To be eligible for favorable consideration as a unit of the national park system, an area must (1) possess nationally significant natural, cultural, or recreational resources, (2) be a suitable and feasible addition to the system, and (3) require direct NPS management instead of alternative protection by other agencies or the private sector. These criteria are designed to ensure that the national park system includes only outstanding examples of the nation's natural, cultural, and

recreational resources. They also recognize that inclusion in the national park system is not the only option for preserving the nation's outstanding resources.

(See Public Participation in Planning 2:6, Special Designations 4:4, Resource Identification, Evaluation, and Registration 5:1)

Criteria for National Significance

A natural, cultural, or recreational resource will be considered nationally significant if it meets all of the following criteria:

It is an outstanding example of a particular type of resource.

It possesses exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage.

It offers superlative opportunities for recreation, public use, and enjoyment or for scientific study.

It retains a high degree of integrity as a true, accurate, and relatively unspoiled example of a resource.

Examples of natural resources that may be nationally significant include

an outstanding site that illustrates the characteristics of a landform or biotic area that is still widespread

a rare remnant natural landscape or biotic area of a type that was once widespread but is now vanishing due to human settlement and development

a landform or biotic area that has always been extremely uncommon in the region or nation

a site possessing exceptional diversity of ecological components (species, communities, habitats) or geologic features (landforms, observable manifestations of geologic processes)

a site containing biotic species or communities whose natural distribution at that location makes them unusual (a relatively large population at the limit of its range, or an isolated population)

a site harboring a concentrated population of a rare plant or animal species, particularly one officially recognized as threatened or endangered

a critical refuge necessary for the continued survival of a species

a site containing rare or unusually abundant fossil deposits

an area with outstanding scenic qualities, such as dramatic topographic features, unusual contrasts in landforms or vegetation, spectacular vistas, or other special landscape features

a site that is an invaluable ecological or geological benchmark due to an extensive and long-term record of research and scientific discovery

Nationally significant cultural resources include districts, sites, buildings, structures, or objects that possess exceptional value or quality in illustrating or interpreting our heritage and that possess a

high degree of integrity of location, design, setting, materials, workmanship, feeling, and association. Examples of cultural resources that may be nationally significant include those that

> are associated with events that have made a significant contribution to and are identified with, or that outstandingly represent, the broad national patterns of United States history and from which an understanding and appreciation of those patterns may be gained
>
> are associated importantly with the lives of persons nationally significant in the history of the United States
>
> represent some great idea or ideal of the American people
>
> embody the distinguishing characteristics of an architectural type specimen, exceptionally valuable for study of a period, style, or method of construction; or represent a significant, distinctive, and exceptional entity whose components may lack individual distinction
>
> are composed of integral parts of the environment not sufficiently significant by reason of historical association or artistic merit to warrant individual recognition but collectively composing an entity of exceptional historical or artistic significance; or outstandingly commemorate or illustrate a way of life or culture
>
> have yielded or may be likely to yield information of major scientific importance by revealing new cultures or by shedding light upon periods of occupation over large areas of the United States

Ordinarily, cemeteries, birthplaces, graves of historic figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, and properties that have achieved significance within the past 50 years are not considered appropriate for addition to the national park system unless they have transcendent importance, unless they possess inherent architectural or artistic significance, or unless no other site associated with that theme remains.

Examples of recreation resources that may be nationally significant include

> a natural or cultural feature providing a special setting for a variety of recreational activities different from those available at the local or regional level
>
> a spacious area located near a major population center with the potential to provide exceptional recreational opportunities and to serve visitors from around the nation rather than solely from the immediate vicinity
>
> an area that protects a unique recreation resource that is scarce and disappearing in a multi-state region, such as an outstanding recreational river, a unique maritime environment or coastline, or a unique scenic area
>
> a unique combination of natural, cultural, and recreational resources that collectively offer outstanding opportunities for public use and enjoyment even though each feature might not individually be considered nationally significant

Suitability and Feasibility

An area will be considered suitable for addition to the national park system if it represents a natural/cultural theme or type of recreational resource that is not already adequately represented in

the national park system, unless such an area is comparably protected and presented for public enjoyment by another land-managing entity. Adequacy of representation will be determined on a case-by-case basis by comparing the proposed addition to other units in the national park system, considering differences or similarities in the character, quality, quantity, or combination of resources and opportunities for public enjoyment.

To be feasible as a new unit of the national park system an area must be of sufficient size and appropriate configuration, considering natural systems and/or historic settings, to ensure long-term protection of resources and to accommodate public use, and it must have potential for efficient administration at a reasonable cost. Important feasibility factors include landownership, acquisition costs, access, threats to the resource, and staff or development requirements.

(See Hazardous Materials and Toxic Waste 9:6)

Management Alternatives

Studies of potential new park units will evaluate an appropriate range of management alternatives, which may include

continued management by states, local governments, native American authorities, the private sector, or other federal agencies

technical or financial assistance to others through established NPS programs or special projects

management by others as a designated national natural landmark, national historic landmark, national wild and scenic river, national trail, biosphere reserve, state or local park, or other specially designated and protected area

cooperative management involving joint efforts by the National Park Service and other entities

New additions to the national park system will not usually be recommended if other arrangements can provide adequate protection for the resource and opportunities for public enjoyment.

Authorization

Studies by the National Park Service provide information for consideration by Congress in deciding whether a new unit should be authorized or whether some other form of protection and management is most appropriate. NPS studies may include suggestions about what uses should be permitted, prohibited, or allowed subject to certain conditions in a potential new unit. Specific direction on these issues is often provided in the text of the act, the legislative history, or the designation when Congress establishes a new unit.

PARK PLANNING PROCESS AND PRODUCTS

Planning will be conducted as a dynamic, continuous process for making choices about how to accomplish the National Park Service's preservation and enjoyment mandates. This process will include the gathering and analysis of data, an assessment of existing conditions and future trends, the identification of issues that need to be addressed, an evaluation of alternative actions, and the selection of a preferred alternative. Formal planning projects will generally result in the preparation

of documents for use by NPS employees, the public, and the Congress. In addition, the planning process is an important problem-solving tool that will often be used in day-to-day operations and management. Specific guidance is provided in the *Planning Process Guideline* (NPS-2).

(See Planning and Proposal Formulation 5:4)

Statement for Management

Each park will prepare a statement for management, which will be evaluated by the superintendent and the regional director every two years and revised as necessary. This document will compile information about the park's purpose, the nature and significance of its resources, the existing uses of its lands and waters, its regional context and adjacent land considerations, the legislative and administrative requirements for its management, the influences on park resources and the experience of park visitors, and nonrecreational park use by native Americans and others. This information will be used to identify major issues and problems that need to be addressed, to determine needs for additional information, and to establish park management objectives, all of which will also be included in the statement for management.

The statement for management will assess existing conditions without identifying solutions. The management objectives established in the statement for management will describe the conditions that need to be achieved to realize the park's purpose consistent with NPS policy. The discussion of issues will describe the problems that need to be addressed.

(See Chapter 1: Introduction)

Outline of Planning Requirements

Upon completion of the statement for management, an analysis will be undertaken of the plans and tasks needed to address issues, gather information, and achieve objectives. The results of this analysis will be included in the outline of planning requirements, a programming document that will be reviewed annually by the superintendent and the regional director and updated as necessary. This document will contain a priority listing of the studies and surveys needed to produce an adequate information base for planning and compliance, and the plans and designs needed for the park. This listing will ensure a logical sequence of task programming and accomplishment.

(See Planning Priorities 2:6)

Information Base

Sufficient information will be available prior to initiating a plan. Each park will develop, gather, compile, store, analyze, and update information about natural and cultural resources and regional demographic, ethnographic, and socioeconomic data relevant to planning and management. These data will serve as an information base for formulating proposals, evaluating alternatives, and making decisions during planning. Acquisition of adequate information for planning and management decisions will be a prerequisite to the allocation of planning funds. Parks and regional offices will work together to ensure that information-gathering projects needed for plans scheduled to begin in two to five years are programmed and funded.

(See Science and Research 4:2, Inventory and Monitoring 4:4, Resource Identification, Evaluation, and Registration 5:1, Research 5:2, Ethnographic Research and Inventories 5:12)

Public Participation in Planning

Throughout the planning process, opportunities will be provided for the public at the national, regional, and local levels to voice their concerns about planning and management of parks. Certain consultations with specific parties and agencies are required by law, regulation, and NPS policies. In addition, positive actions will be taken to identify and involve the public as individuals and through public interest groups and organizations at the earliest possible stages in the planning process and before planning decisions have been made. Those involved will include federal agencies, state and local governments, regional planning commissions, native Americans, state historic preservation officers, state liaison officers, advisory organizations, concessioners, park users and their associations, owners and users of adjacent lands, and other interested parties. Opportunities for public participation may include public workshops and meetings, informal work sessions on particular issues, and public review and comment on draft documents.

(See Facility Planning and Design 9:1)

General Management Plan

Each park will have an approved general management plan (GMP) which will set forth a management concept for the park; establish a role for the unit within the context of regional trends and plans for conservation, recreation, transportation, economic development, and other regional issues; and identify strategies for resolving issues and achieving management objectives, usually within a period of 15 years. All other plans will be consistent with the direction established in this lead planning document. Until a GMP is completed and approved, the management objectives established by the statement for management will guide day-to-day operations. No new development or major rehabilitation will be undertaken without an approved GMP. The GMP components will be reviewed periodically and revised or amended as necessary to reflect new issues or changes in management objectives.

Planning Priorities. The Director and the regional directors will establish and periodically review a servicewide priority list of GMPs that need to be undertaken. Congressionally directed plans will be given a priority that enables their completion within the required time frame.

Planning Team. General management planning will be conducted by an interdisciplinary team of planning professionals and park managers. Superintendents will have the major responsibility of directing planning efforts in their parks and will actively participate in all aspects of plan preparation. The team will include specialists with expertise to address the park-specific planning concerns. Staff from the Denver Service Center, the regional office, the Harpers Ferry Center, other field offices, and the park may be part of the planning team. Staff from other affected government agencies and others possessing specialized knowledge of the park or special expertise may serve as advisors to the planning team.

Evaluation of Alternatives. As required by the National Environmental Policy Act (42 USC 4371 et seq.), during the planning process a range of alternatives will be formulated to evaluate distinct management approaches for dealing with the issues. All GMPs and their accompanying environmental documents will consider no-action and other reasonable alternatives. Innovative, practical, and cost-effective solutions to the issues will be contained in the alternatives.

The environmental assessment or environmental impact statement will describe the potential environmental and other impacts of the alternatives. Planners and managers will consider these potential impacts before deciding which actions to implement. Potential environmental effects, resource protection, visitor safety, visitor use and enjoyment of park resources, interests of park-associated communities and groups, and short- and long-term cost-effectiveness will be important

considerations in the selection of proposed actions. These considerations will be included in the environmental document accompanying the GMP so that decision makers and the public can clearly understand the issues and the rationale for decision making. If the actions proposed in the plan constitute a major federal action significantly affecting environmental quality, an environmental impact statement will be prepared. Specific guidance for analyzing environmental impacts and preparing environmental impact statements is provided in the *National Environmental Policy Act Guideline* (NPS-12).

Management Zoning. The general management plan will prescribe a system of management zoning for park lands and waters to designate where various strategies for management and use will best fulfill management objectives and achieve the purpose of the park. The delineation of management zones will be based on an evaluation of the congressionally established purposes of the park; the nature of the park's natural and cultural resources; all past, existing, and anticipated uses; and park management objectives. This prescriptive zoning will consider the capability of lands to support identified uses and will be used as a framework for specific planning and management decisions on use and development of the park. The management zoning system will recognize that different types of parks have different purposes and consequently should be managed differently. For example, recreation areas, preserves, riverways, and seashores are generally managed to provide for a wider range of public recreational uses than are parks or monuments.

Four primary management zones will be identified: natural, cultural, park development, and special use. Within this framework, subzones may be designated for any park where it is useful to indicate in greater detail how the land or water will be managed. Subzones will be used to focus management on specific types of protection, use, or development as necessary to achieve the park-to-park distinctions in management emphasis called for by Congress in enabling legislation. Subzones will also be used to distinguish the particular resource values and use potentials of various areas within parks. Numerous management subzones are defined in chapter 5 of the *Planning Process Guideline.*

Zones and their basic management strategies are described below. Depending on the particular resources present in each zone, other management strategies may also apply.

Natural Zone: This zone will include lands and waters that will be managed to conserve natural resources and ecological processes and to provide for their use and enjoyment by the public in ways that do not adversely affect these resources and processes. Development in the natural zone will be limited to dispersed recreational and essential management facilities that have no adverse effect on scenic quality and natural processes and that are essential for management, use, and appreciation of natural resources. Examples of typical facilities include trails, signs and trailside information displays, walk-in primitive shelters, walk-in storage facilities, stream-gauging devices, weather stations, and small-boat docks. Types of natural subzones include outstanding natural area, natural environment, protected natural area, wilderness, research natural area, and special management.

Cultural Zone: This zone will include lands that will be managed for the preservation, protection, and interpretation of cultural resources and their settings and to provide for their use and enjoyment by the public. Cultural resources that are key to the purposes of the park will be included in this zone. Other cultural resources, including properties listed or eligible for listing in the National Register of Historic Places, along with resources not eligible for the register but worth preserving for interpretive or other management purposes, will be included in the zone that best reflects the primary management emphasis of their particular area of the park. Development in the cultural zone must be compatible with preservation and interpretation of cultural values. Consistent with policies for preservation and use of cultural resources, historic structures may be adaptively used for utilitarian or other purposes. Types of cultural subzones include preservation, adaptive use, and commemoration.

Park Development Zone: This zone will include lands that will be managed to provide and maintain facilities serving park managers and visitors. It will include areas where park development or intensive use may substantially alter the natural environment or the setting for culturally significant resources. Impacts associated with such development will be mitigated to the greatest extent possible. The development zone will encompass the facilities themselves and all associated lands directly modified as a result of their continuing management and use. Development zones will be restricted to the smallest area necessary to accommodate required development and use. New development zones will be established only after considering alternative sites (including locations outside the park and locations outside areas with significant natural and cultural resources) and alternative levels of use, facilities, and services. Types of park development subzones include administrative development, visitor support, and landscape management area.

Special Use Zone: This zone will include lands and waters that the National Park Service anticipates will continue to be used for activities not appropriate in other zones. Types of special use subzones include commercial, exploration/mining, grazing, forest utilization, and reservoir.

(See Basic Management Concepts 4:1, Rights-of-Way 8:11, Mineral Development 8:12, Agricultural Uses 8:14, Grazing 8:14; also see individual zones in the Index)

Scope of the GMP. Every general management plan will include interrelated proposals for resource protection and management, land protection, cooperation with associated local interests, interpretation, visitor use, native American activities, accessibility for disabled visitors, carrying capacities, and park operations, along with a general indication of location, size, capacity, and function of physical developments. A plan implementation schedule and cost estimates will be included. Other elements that may be added to GMPs include development concept plans, land protection plans, boundary studies, land suitability analyses, wilderness suitability reviews, and detailed strategies for access and circulation, resource management, mineral management, and interpretation. Such planning guidance may be incorporated into the general management plan or separated into individual studies or implementation plans.

(See Implementation Plans 2:9)

Boundary Studies

Congress has specifically directed the National Park Service to consider, as part of the planning process, what modifications of external boundaries might be necessary to carry out park purposes (16 USC 1a-7(b)(4)). The National Park Service will conduct studies of potential boundary adjustments and may recommend boundary revisions

to include significant resources or opportunities for public enjoyment related to the purposes of the park

to address operational and management issues such as access and boundary identification by topographic or other natural features or roads

to protect park resources critical to fulfilling the park's purposes

Recommendations to expand park boundaries will be preceded by determinations that

the added lands will be feasible to administer considering size, configuration, ownership, costs, and other factors

other alternatives for management and resource protection are not adequate

Where a boundary adjustment appears to be appropriate, the National Park Service will recommend it to the Secretary of the Interior for legislative or administrative action. Congressional action is required for boundary adjustments; however, in some cases the Secretary may make minor boundary adjustments where authorized by existing law without additional congressional action.

Implementation Plans

Following approval of a GMP, the park's outline of planning requirements will be updated to guide plan implementation. The GMP is a comprehensive plan that will vary in detail with the size and complexity of a given park. In most instances, more detailed plans and studies will be prepared for subjects that are only generally addressed in the GMP. All implementation plans will be consistent with the GMP.

Examples of implementation plans include development concept plans, land protection plans, wilderness management plans, resource management plans, mineral management plans, concession management plans, backcountry management plans, interpretive prospectuses, special resource studies, collection management plans, historic structure reports, and exhibit plans. These plans will be prepared in accordance with guidelines developed by staff in the respective program areas.

(See Land Protection Plans 3:1, Planning for Natural Resource Management 4:2, Planning and Proposal Formulation 5:4, Wilderness Management Plan 6:4, Interpretive Plans and Documents 7:2, Facility Planning and Design 9:1, Concession Planning 10:1; see also listing under Plans in the Index)

PARK PLANNING IN A REGIONAL CONTEXT

Many park management and resource protection issues are not confined by park boundaries. Since park boundaries may not incorporate all of the natural resources, cultural sites, and scenic vistas that relate to park resources or the quality of the visitor experience, the activities on adjacent lands may significantly affect the success of park programs. Furthermore, the activities of the National Park Service may have effects outside the boundaries of the parks. Recognizing that parks are integral parts of larger regional environments, the National Park Service will work cooperatively with others to anticipate, avoid, and resolve potential conflicts, to protect park resources, and to address mutual interests in the quality of life for community residents, considering economic development as well as resource and environmental protection. Such regional cooperation will involve federal, state, and local agencies, native American authorities, neighboring landowners, and all other concerned parties.

Through planning, parks will be considered within the broader context of the surrounding region. Cooperative regional planning will be undertaken to integrate parks into their regional environments and to address adjacent land use issues that influence park resources. This will occur on an ongoing basis as well as during the development of general management plans and other plans. Information on the status of cooperative regional planning will be included in each park's updated statement for management. Joint agency planning is especially important when a park is adjoined by Indian reservations, other federal lands, state lands, or lands subject to state, regional, or local planning or regulation. Where appropriate, formal agreements will be pursued with landowners, land use planners, and managers of these lands. Early coordination on specific proposals and projects will occur to ensure that various points of view are considered in formulating proposals and that potential conflicts are identified and avoided or resolved if possible.

Superintendents will work with neighboring landowners on topics of mutual interest and will explore ways of providing technical assistance to neighboring landowners. The National Park Service will be sensitive to the influences and impacts that its management of park lands may have on adjacent landowners, and it will seek to enhance beneficial effects and to mitigate adverse

effects in whatever ways are consistent with its policies and management objectives. NPS participation in regional planning is not intended to prevent reasonable uses of the land and will be undertaken with attention to the rights of other landowners.

While the National Park Service does not propose to create buffer zones around parks, it will use all available authorities to protect park resources and values from potentially harmful activities. Superintendents will be aware of what uses are planned on adjacent lands. They will seek to encourage compatible adjacent land uses and to mitigate potential adverse effects on park values by actively participating in planning and regulatory processes of neighboring jurisdictions, other federal, state, and local agencies, and native American authorities.

(See Natural Resource Management 4:1, Biosphere Reserves 4:4, Cooperation with Others 4:5, General Policy 6:3, Interpretation and Native Americans 7:5, Management of Recreational Use 8:2, Emergency Preparedness and Emergency Operations 8:6, Location 9:1, Access and Circulation Systems 9:7; see also listing under Cooperation and Consultation in the Index)

3 Land Protection

3 Land Protection

The National Park Service will use all available authorities to ensure that lands within park boundaries are protected. Where parks contain nonfederal lands, the Park Service will identify the minimum interest that needs to be acquired to carry out park purposes and will use cost-effective protection methods.

Many parks include land or interests in land that are not in federal ownership or managed by the National Park Service. Congress usually provides some direction in the parks' enabling legislation about what interests may be acquired, the permissible methods of acquisition, or alternatives available for land protection. Generally, however, the National Park Service is allowed broad discretion in determining what land or interests in land are needed to carry out park purposes.

Protecting park resources and values requires attention to issues on both sides of the park boundary. This land protection policy addresses what land or interests in land need to be acquired within park boundaries and what other methods of protection may be appropriate inside park boundaries. Issues related to lands outside park boundaries are addressed in conjunction with the planning process outlined in chapter 2 and through other policies that apply to resource management or park use.

Land protection planning and land acquisition are subject to all applicable legislation, congressional guidelines, executive orders, and departmental and NPS policies and guidelines, including the NPS *Land Acquisition Policy Implementation Guideline* (NPS-25), the Department of the Interior's "Policy for the Federal Portion of the Land and Water Conservation Fund" (FR 47:19784), the NPS "Land Protection Plan Instructions" (FR 48:21121), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 USC 4601 et seq.), and Executive Order 12630, "Governmental Actions and Interference with Constitutionally Protected Property Rights."

LAND PROTECTION PLANS

Land protection plans will be developed and periodically reviewed and updated for each park containing nonfederal lands or interests that may be subject to acquisition. Land acquisition will be guided by a park's land protection plan. The plans will identify the alternative methods that will provide for the protection of resources, for visitor use, and for development; identify the minimum interests necessary for those purposes; and establish priorities for acquisition of land or interests in land. Land protection plans will be simple, concise, and prepared with public participation.

The National Park Service employs three techniques, as appropriate, for protecting land:

> cooperative approaches, such as agreements, regulations, zoning, and other measures that do not involve acquisition of any interest in real property

acquisition of less-than-fee interests, such as easements or rights-of-way

acquisition of fee interests, possibly with arrangements for some rights to be reserved

When fee or less-than-fee interests are to be acquired, the National Park Service uses various methods of acquisition, as authorized by Congress, including

purchase with appropriated or donated funds

donation or bargain sale

exchange

transfer from another federal agency

withdrawal of public domain lands

condemnation

Fee ownership generally provides the greatest flexibility to manage and protect resources and provide for public access and enjoyment. However, in some areas continued private ownership and use of the land may be consistent with the purposes of the park. For example, farming, ranching, or low-density residential use may be a part of the scene that needs to be protected in a battlefield or historic site.

The identification of appropriate land protection techniques will be based on a careful analysis of long-range goals for preservation; for public access, enjoyment, and use; and for management of park resources. This will require a clear definition of which private uses of the land are compatible with park purposes and objectives now and in the future.

Recommendations about appropriate protection measures will consider cost-effectiveness, including both tangible and intangible costs and benefits. Benefits may include quality of visitor experience, flexibility for resource management, or permanence of protection. Costs include long-term costs for operations, maintenance, management, monitoring, and enforcement, as well as initial purchase price. Both fee ownership and alternative methods of protection require a commitment to monitoring and enforcement. Decisions about what protection methods are cost-effective will be based on objective case-by-case evaluations rather than broad generalizations.

Land protection recommendations will be based on adequate justifications considering resources and public use. Justifications will consider the resource values of the nonfederal lands and the potential for impacts on other lands already in federal ownership. Fee purchase will usually be considered necessary and appropriate when other means of protection are determined to be inadequate.

Acquisition to implement a land protection plan might be delayed by budgetary constraints. Land protection recommendations will not diminish the rights of landowners to use their property. Consistent with those rights, superintendents will seek to minimize harmful impacts of use and development of private lands through cooperative efforts with landowners. Cooperation with state and local governments and other federal authorities also will be used to help protect park resources until the necessary interests can be acquired. Although some alternatives to fee purchase, such as zoning, regulations, and agreements, might not ensure permanent protection, they will be pursued as interim measures where appropriate.

(See Chapter 2: Park System Planning; see also Hazardous Materials and Toxic Waste 9:6)

LAND ACQUISITION

Parks are separated into two categories for purposes of land acquisition:

> In parks authorized prior to July 1, 1959, lands are acquired on an opportunity basis, that is, when an owner offers land for sale and funds are available, except that the National Park Service may seek to acquire land or interests in land by purchase, or condemnation if necessary, to prevent uses of the land that would be detrimental to the park. Parks in this category contained relatively little nonfederal land at the time they were authorized, and continued private ownership is considered acceptable until owners offer to sell or initiate some change in use that would conflict with park objectives.
>
> For parks authorized since July 1, 1959, acquisition is accomplished on a systematic basis, as funds are available, by purchase, condemnation, donation, exchange, transfer of federally owned land, or withdrawal of public domain lands, as appropriate.

However, for some parks in both categories Congress has placed limitations on acquisition, such as restricting it to donation or exchange or prohibiting acquisition without owner consent. In such cases, interests in land can be acquired only by the method or methods authorized.

When private land is proposed for acquisition, the National Park Service will make every reasonable effort to reach an agreement with the owner on the purchase price. If an agreement cannot be reached, the National Park Service will take further steps in accordance with authorities and congressional directions that apply to the park in question. Condemnation is generally considered as a last resort. However, acquisition by condemnation may be employed to establish just compensation, to clear title, or to prevent damage to park resources when no other means of protection is adequate.

4 Natural Resource Management

4 Natural Resource Management

The National Park Service will manage the natural resources of the national park system to maintain, rehabilitate, and perpetuate their inherent integrity.

The natural resource policies of the National Park Service are aimed at providing the American people with the opportunity to enjoy and benefit from natural environments evolving through natural processes minimally influenced by human actions. The natural resources and values that the Park Service protects are described in the 1916 NPS organic act (16 USC 1 et seq.) and in the enabling legislation or executive orders establishing the parks. These resources and values include plants, animals, water, air, soils, topographic features, geologic features, paleontologic resources, and aesthetic values, such as scenic vistas, natural quiet, and clear night skies. Some of these resources and values are protected both by NPS authorities and by other statutory authorities, such as the Clean Air Act (42 USC 7401 et seq.), the Clean Water Act (33 USC 1251 et seq.), the Endangered Species Act (16 USC 1531 et seq.), the National Environmental Policy Act (42 USC 4321 et seq.), and the Wilderness Act (16 USC 1131 et seq.).

The National Park Service is committed to working cooperatively with federal, state, and local agencies, native American authorities, user groups, adjacent landowners, and others in the management of natural resources and will seek to establish formal and informal lines of communication and consultation in order to better achieve park management objectives.

(See Park Planning in a Regional Context 2:9)

GENERAL

Basic Management Concepts

Management of natural systems will be based on a park's management zones as established in an approved statement for management or general management plan.

Natural Zones. The primary objective in natural zones will be the protection of natural resources and values for appropriate types of enjoyment while ensuring their availability to future generations. Natural resources will be managed with a concern for fundamental ecological processes as well as for individual species and features. Managers and resource specialists will not attempt solely to preserve individual species (except threatened or endangered species) or individual natural processes; rather, they will try to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and ecological integrity of the plants and animals.

Just as all components of a natural system will be recognized as important, so will change be recognized as an integral part of the functioning of natural systems. The National Park Service will not seek to preserve natural systems in natural zones as though frozen at a given point in time.

Interference with natural processes in park natural zones will be allowed only (1) when directed by the Congress, (2) in some emergencies when human life and property are at stake, or (3) to restore native ecosystem functioning that has been disrupted by past or ongoing human activities.

Ecological processes altered in the past by human activities may need to be abetted to maintain the closest approximation of the natural ecosystem where a truly natural system is no longer attainable. Prescribed burning is an example. The extent and degree of management actions taken to protect or restore park ecosystems or their components will be determined in light of management objectives and prevailing scientific theory and methodologies.

Naturally evolving plant and animal populations, and the human influences on them, will be monitored to detect any significant unnatural changes. Action will be taken in the case of such changes based on the type and extent of change and the appropriate management policy.

In the natural zone, and in the other zones as well, there may be situations in which an area may be closed to visitor use to protect the resources (for example, during an animal breeding season) or for reasons of public safety (for example, during a wildfire). This may be accomplished under the superintendent's discretionary authority (36 CFR 1.5).

Cultural Zones. The primary resource management objectives in cultural zones are to preserve and foster appreciation of the cultural resources. The management of their natural resources will support these cultural resource objectives. Where compatible with cultural resource objectives, the policies for natural zones will be followed.

Park Development Zones. Park development zones are managed and maintained for intensive visitor use. Accordingly, roads, walks, buildings, and other visitor and management facilities may occupy much of the zones, and the natural aspect of the land in the zones may be altered. In development zones adjacent to natural zones, management will aim at maintaining as natural an environment as possible, given the use of the zone. Such management may involve the manipulation of natural resources, but any manipulation will be the minimum necessary to achieve the planned use.

(See Management Zoning 2:7)

Planning for Natural Resource Management

Each park with natural resources to manage will prepare and periodically update a natural resource component for its resource management plan. The plan will identify, define, and program the monitoring, inventory, research, mitigation, and enforcement activities required to perpetuate park natural resources and natural processes, achieve the park's purposes and objectives, and regulate the use of the park.

(See Implementation Plans 2:9)

Science and Research

A program of natural and social science research will be conducted to support NPS staff in carrying out the mission of the National Park Service by providing an accurate scientific basis for planning, development, and management decisions.

The science program will be focused on applied research necessary to direct management actions in pursuit of park objectives as stated in legislation and planning documents. This research may involve the pursuit of new facts and principles when problems arise for which no current solutions exist or when the collection of baseline inventory data must precede the identification of appropriate management actions. Basic research may also be necessary to correctly interpret resources whose functioning and significance are not already known.

(See Information Base 2:5, Research Natural Areas 4:4, Paleontologic Resource Management 4:19, Research 5:2, Ethnographic Research and Inventories 5:12, Research 6:6)

Relationship to Planning and Management. Park research needs will be documented in each park's resource management plan. Research will be conducted to further park objectives as found in legislation and planning documents. Research activities will

provide a sound basis for policy and guidelines

develop effective strategies to avoid or minimize adverse impacts on resources and visitors

determine causes of resource management problems

predict impacts of resource uses and related activities

develop methods to restore damaged resources

further understanding of ecosystems and document their components, condition, and significance

Conduct of Research. The National Park Service will cooperate with research institutions to establish cooperative park study units (CPSUs) where specialized expertise exists which can be of significant assistance to the Service in conducting research and where the opportunity for research and study in the parks offers the institution an equally significant benefit to its programs.

In recognition of the scientific value of parks as natural laboratories, investigators will be encouraged to use the parks for scientific studies when such use is consistent with NPS policies. Research activities that might disturb resources or visitors, that require the waiver of any regulation, or that involve the collection of specimens may be allowed only pursuant to the terms and conditions of an appropriate permit. Manipulative or destructive research activities generally will not be permitted within parks. Exceptions may be granted if the impacts will be short-lived, the park is the only area where such research can be conducted, the value of the research is greater than the resource impacts, or the research is essential to provide information for resource management.

(See Research and Collection Activities 8:15, Miscellaneous Management Facilities 9:16)

Publication of Research Data. The results of all scientific activities conducted in the parks will be made available to park managers, the scientific community, and the public through both technical publications and popular media. NPS scientists will be encouraged to publish their research findings in refereed journals as well as to include such findings in public interpretive programs. Information on the locations of extremely fragile natural resources or those subject to vandalism will not be included in final studies and reports for public distribution.

Inventory and Monitoring

The National Park Service will assemble baseline inventory data describing the natural resources under its stewardship and will monitor those resources at regular intervals to detect or predict changes. The resulting information will be analyzed to detect changes that may require intervention and to provide reference points for comparison with other, more altered environments.

(See Weather and Climate 4:19, Miscellaneous Management Facilities 9:16)

Natural Resource Collections

Natural resource collections include nonliving and living specimens and associated field records. If placed in exhibits or retained in permanent collections, nonliving specimens and their associated field records will be cataloged into a park's museum collection. Management standards for such collections are specified in the *Cultural Resources Management Guideline* (NPS-28) and the *Museum Handbook*. Living collections will be managed in accordance with the provisions of a park's resource management plan.

(See Museum Objects and Library Materials 5:9)

Special Designations

Research Natural Areas. Prime examples of natural ecosystems and areas with significant genetic resources with value for long-term baseline observational studies or as control areas for comparative studies involving manipulative research outside the park may be recommended by superintendents to the Director for designation as research natural areas. Superintendents will cooperate with other federal land managers in identifying park sites for designation and in planning research and educational activities for this interagency program.

Research natural areas will be managed to provide the greatest possible protection of site integrity in accordance with their designation. Activities in research natural areas will be restricted to nonmanipulative research, education, and other activities that will not detract from the area's research values.

National Wild and Scenic Rivers System. Parks containing one or more river segments listed in the National Rivers Inventory maintained by the National Park Service will comply with the August 2, 1979, presidential directive instructing each federal agency to assess whether those rivers are suitable for inclusion in the wild and scenic rivers system. Such assessments may be incorporated into a park's general management plan or resource management plan.

National Natural Landmarks. Park geologic or ecological sites that best characterize a natural region will be nominated to the Secretary of the Interior for inclusion in the National Registry of Natural Landmarks. As the agency responsible for maintaining the registry, the National Park Service has developed criteria for eligibility (FR 45:81184-93).

Biosphere Reserves. Individual park ecosystems or park lands that are components of regional ecosystems believed to be internationally significant examples of one of the world's natural regions may be nominated for designation as biosphere reserves. General guidance for the international biosphere reserve program is provided by the United Nations Education, Scientific and Cultural Organization (UNESCO) through its Man and the Biosphere (MAB) program. Working within the U.S. MAB program, the National Park Service will assist in determining the suitability and feasibility of including parks in U.S. biosphere reserve nominations, participate in research and

educational activities, and furnish information on its biosphere reserves for inclusion in domestic and international information systems.

The designation of park lands as international biosphere reserves will not alter the purposes for which the parks were established or change the management requirements. To the extent practicable, superintendents of parks participating in the international network will incorporate biosphere reserve objectives into statements for management, general management plans, action plans, and park interpretive programs. Superintendents will pursue opportunities to use the biosphere reserve network as a framework for local, regional, and international cooperation.

World Heritage Sites. Natural areas believed to possess outstanding universal value as part of the world's natural heritage will be nominated to the World Heritage List. U.S. recommendations are approved by an interagency panel chaired by the Assistant Secretary for Fish and Wildlife and Parks, based on criteria promulgated by the World Heritage Committee. These criteria and the rules for U.S. participation in the Convention Concerning the World Cultural and Natural Heritage are published in 36 CFR 73. Once an area is designated a world heritage site, the National Park Service will recognize the designation in public information and interpretive programs.

(See World Heritage Site Designation 5:2)

Cooperation with Others

The National Park Service will pursue opportunities to improve resource management by cooperating with public agencies, native American authorities, and private landowners. Recognizing that cooperation with other land managers can accomplish ecosystem-stability and other resource management objectives where the best efforts of a single manager might fail, superintendents will develop agreements with other federal, state, and local agencies, native American authorities, and private landowners where appropriate to coordinate plant and animal management activities. Such cooperation may involve coordinating management activities in two or more separate areas, integrating management practices to reduce conflicts, coordinating research, sharing data and expertise, exchanging resources through transplants, establishing native wildlife corridors, and providing essential habitats adjacent to park boundaries.

In addition, superintendents will seek the cooperation of others in minimizing the impacts of outside influences – controlling noise, maintaining water quality and quantity, eliminating toxic substances, preserving scenic views, improving air quality, preserving wetlands, protecting threatened or endangered species, eliminating exotic species, managing use of pesticides, protecting shoreline processes, managing fires, and other means of preserving and protecting park resources.

BIOLOGICAL RESOURCE MANAGEMENT

Animals

Protection of Native Animals. The National Park Service will seek to perpetuate the native animal life (mammals, birds, reptiles, fish, insects, worms, crustaceans, etc.) as part of the natural ecosystems of parks. Management emphasis will be on minimizing human impacts on natural animal population dynamics. The native animal life is defined as all animal species that as a result of natural processes occur or occurred on lands now designated as a park. Any species that have moved onto park lands directly or indirectly as the result of human activities are not considered native.

Native animal populations will be protected against harvest, removal, destruction, harassment, or harm through human action. Individual animals within a population may be removed only when

hunting and trapping are permitted by law

fishing is not specifically prohibited

control of specific animal populations is required for park ecosystem maintenance

removal or control of animals is necessary for human safety and health or to protect property or landscaped areas

removal is part of an NPS research project described in an approved resource management plan or is part of research being conducted by others who have been issued an appropriate collection permit

removal will restore native populations in other parks or cooperating areas without diminishing the viability of the populations from which the animals are taken

(See Science and Research 4:2, Population Management 4:6, Management of Harvested Species 4:7, Fisheries Management 4:7, Genetic Resources 4:10, Fishing 8:4, Hunting and Trapping 8:4, Research and Collection Activities 8:15)

Population Management. Natural processes will be relied on to control populations of native species to the greatest extent possible. Unnatural concentrations of native species caused by human activities may be controlled if the activities causing the concentrations cannot be controlled. Nonnative (exotic) species will not be allowed to displace native species if this displacement can be prevented by management.

Animal populations or individuals will be controlled in natural, cultural, and development zones when they present a direct threat to visitor safety and health, and in cultural and development zones when necessary to protect property or landscaped areas. The decision to initiate a control program will be based on scientifically valid resource information obtained through research. Planning and implementation of control actions will comply with established planning procedures, including provisions for public review and comment. Where persistent human/animal conflict problems exist, a determination will be made of whether or not curtailing or modifying visitor use and other human activities might be a more desirable alternative. The need for, and results of, controlling animal populations will be evaluated and documented by research studies and in the natural resource management plan. Such studies will assess the impacts of the control methods on nontargeted as well as targeted components of the ecosystem.

Other management measures that may be used as necessary separately or together include live trapping for transplanting elsewhere, gathering of research specimens for NPS and cooperating scientists, public hunting on lands outside the park, habitat management, predator establishment, sterilization, and destruction by NPS personnel or their authorized agents. In controlling wildlife populations, highest priority will be given to encouraging public hunting outside the parks and live trapping within parks for transplanting elsewhere.

The National Park Service will consult, as appropriate, with other federal land-managing agencies, the U.S. Fish and Wildlife Service, state agencies, native American authorities, and others regarding programs to control populations of fish and wildlife, research programs involving the taking of fish and resident wildlife, and cooperative studies and plans to guide public hunting outside park boundaries.

In cases where individual animals are removed from park populations consistent with these provisions, carcasses may be left in natural zones to decompose, or live animals or carcasses may

be removed from parks, according to provisions of applicable laws, agreements, and regulations, including the giving of preference to native Americans.

(See Basic Management Concepts 4:1, Science and Research 4:2, Genetic Resources 4:10, Research and Collection Activities 8:15)

Management of Migratory Animals. Many species of vertebrates and invertebrates regularly travel from one location to another at yearly or other intervals. Such species have at least two significant habitat areas, and those that spend time en route may have three or more. Where those species occur in a park, park habitats provide only one of the major habitat needs, and the survival of the species in the park is also dependent on the existence and quality of habitats outside the park.

Parks having native migratory species (bats, caribou, geese, marine turtles, elk, frogs, salmon, whales, and butterflies, to name a few) will ensure the preservation of their populations and their habitats inside the park and will cooperate wherever possible with others to ensure the preservation of their populations and habitats outside the park. Management actions may include

participation in regional land use planning efforts and cooperation with states and native American authorities in the setting of game harvest regulations for lands outside the park (useful for managing short-distance seasonal migrants, such as elk)

monitoring to develop data for the U.S. Fish and Wildlife Service and National Marine Fisheries Service (useful in international negotiations for far-ranging seasonal migrants, such as geese, whales, and marine turtles)

presentation of information about species' life cycles, ranges, and population dynamics in park interpretive programs (useful for managing all species that frequently move into and out of parks)

Management of Harvested Species. Hunting and trapping wildlife will be allowed only in parks where such use is specifically authorized. In areas set aside with legal authorization for hunting, trapping, fishing, subsistence use, or other harvest of native wildlife, the National Park Service will still seek to perpetuate native animal life and to protect the integrity of natural ecosystems. Management programs directed toward the restoration and maintenance of habitats supporting such animals (including fish, amphibians, insects, mammals, birds, mollusks, echinoderms, and crustaceans) will be conducted through cooperative efforts with individual states under memoranda of understanding. The restoration of habitat will generally include treatment to return a damaged area to its natural condition, which will then be self-perpetuating. It will not include the continued artificial manipulation of habitat to increase the numbers of a harvested species above natural levels, except where directed by Congress.

(See Hunting and Trapping 8:4)

Fisheries Management. Fishing may be restricted in certain waters and at certain times if it is determined such actions are needed

to protect rare, threatened, or endangered plant or animal species in the waters or in adjacent habitat

to meet park objectives for scientific study, interpretation, environmental education, appreciation of fish and other aquatic life, or other public benefits

to provide opportunities for depressed fisheries to recover

to protect spawning grounds of endemic fish species

to maintain natural distributions, densities, age-class distributions, and behavior of fish or of native wildlife species that use fish for food

to protect the natural integrity of aquatic areas within natural zones

In natural, cultural, and park development zones, fisheries management will seek to preserve or restore natural aquatic habitats and the natural abundance and distribution of native aquatic species, including fish, together with the associated terrestrial habitats and species. In these zones, waters that are naturally barren of fish will not be stocked with any species. Artificial stocking of native fish will be employed in natural zones only to reestablish native species in their historic ranges; stocking of exotic fish species will not be permitted in natural zones. Stocking of native or exotic species will be permitted in cultural zones only where there is a special need associated with the historic events or individual commemorated and where an exotic species, if used, could not spread to natural zones or waters outside the park. Stocking with native species, but not with exotic species, will be permitted in park development zones. Stocking programs for other purposes in these zones will be discontinued or phased out except where there is congressional intent expressed in law or a House or Senate report accompanying legislation.

Reservoirs, and in some cases channelized or otherwise manipulated rivers and streams, in special use zones represent altered environments that may reduce populations of some native species of fish and encourage others. The National Park Service may cooperate with state fish and game officials to work out programs of stocking reservoirs and other altered waters, where authorized, for purposes of recreational fishing, using either exotic or native species, or both. Active fishery management programs will be encouraged in such waters.

The new ecological environments and niches created by the alteration of natural waterways may be most successfully filled by exotic fish species; nevertheless, management activities will give precedence to native species over exotics wherever natives are adaptable to the altered environment. Rivers and streams in special use zones may be stocked with exotic species of fish only when it has been determined that exotics already are present and established and where scientific data indicate that introducing additional exotics would not diminish native plant and animal populations and that the exotics could not spread to natural zones or to waters outside the park.

(See Basic Management Concepts 4:1, Genetic Resources 4:10, Exotic Plants and Animals 4:11, Fishing 8:4, Dams and Reservoirs 9:16)

Landscapes and Plants

The National Park Service will seek to perpetuate native plant life as part of natural ecosystems. Landscapes and plants may be manipulated only when necessary to achieve approved management objectives. These objectives will vary according to management zones, as described below. To the maximum extent possible, plantings in all zones will consist of species that are native to the park or that are historically appropriate for the period or event commemorated. Only native species will be allowed in natural zones. Use of exotic species in other zones will conform to the exotic species policy. In any zone, landscapes and plants may be manipulated to maintain habitat for threatened or endangered species, but in natural zones only native plants may be used if additional plantings are done, and manipulation of existing plants will be carried out in a manner designed to restore or enhance the functioning of the plant and animal community of which the endangered species is a natural part.

(See Threatened or Endangered Plants and Animals 4:11, Exotic Plants and Animals 4:11, Collecting Natural Products 8:15)

Natural Zone. In natural zones, landscape conditions caused by natural phenomena, such as landslides, earthquakes, floods, hurricanes, tornadoes, and natural fires, will not be modified unless required for public safety or for necessary reconstruction of dispersed-use facilities, such as trails.

Terrain and plants may be manipulated where necessary to restore natural conditions on lands altered by human activity. Management activities may include, but will not be restricted to,

removing constructed features, restoring natural gradients, and revegetating with native park species on acquired inholdings and on sites from which park development is being removed

restoring a natural appearance to areas disturbed by activities such as fire control and hazard tree removal

rehabilitating areas disturbed by visitor use

maintaining open areas and meadows where they were formerly maintained by natural processes

Wherever possible, revegetation efforts in natural zones will use seeds, cuttings, or transplants representing species and gene pools native to the ecological portion of the park in which the restoration project is occurring. Where a natural area has become so degraded that restoration with native species has proven unsuccessful, improved varieties or similar native species may be used.

In localized, specific areas defined as special management subzones of natural zones, screen plantings may be used to protect the natural zone from undesirable impacts of adjacent land uses so long as it does not result in the invasion of exotic species.

(See Basic Management Concepts 4:1, Genetic Resources 4:10, Exotic Plants and Animals 4:11, Siting Facilities to Avoid Natural Hazards 9:2)

Cultural Zone. Trees, other plants, and landscapes in a cultural zone generally will be managed to reflect the historic designed landscape or the scene that prevailed during the historic period, except that soil erosion will be prevented wherever possible.

Where appropriate, efforts may be made to extend the lives of specimen trees dating from the historic period. An individual tree of historic value that poses a safety hazard or is diseased beyond recovery will be removed and replaced. While unique trees or shrubs are still healthy, provisions will be made to eventually replace them with their own progeny grown from seeds or propagated through some form of vegetative reproduction, such as cuttings. Cultivated crop plants may be maintained for allowed livestock or agricultural uses that are part of the cultural scene, authorized by federal law, or retained as a property right.

(See Exotic Plants and Animals 4:11, Cultural Landscapes 5:6, Agricultural Uses 8:14)

Park Development Zone. Landscapes and plants in park development zones may be manipulated as necessary to achieve the purpose of the zone. Landscapes and plantings adjacent to natural or cultural zones will use native or historic species and materials to the maximum extent possible. Certain native species may be fostered for aesthetic, interpretive, or educational purposes. Use of exotic species or materials will conform with the exotic species policy. In subzones classed as landscape management areas, vegetation may be intensively manipulated to enhance aesthetic quality, facilitate interpretation, or promote public use and enjoyment.

(See Exotic Plants and Animals 4:11, Revegetation and Landscaping 9:4)

Special Use Zone. NPS natural resource management activities in special use zones will be directed toward achieving the defined park objectives and minimizing the impact of these zones on the rest of the park. Vegetation may be manipulated to achieve these objectives.

Genetic Resources

The National Park Service will strive to protect the full range of genetic types (genotypes) native to plant and animal populations in the parks by perpetuating natural evolutionary processes and minimizing human interference with evolving genetic diversity.

The introduction of native plants and animals will be accomplished using organisms taken from populations as closely related genetically and ecologically as possible to the park populations, preferably from similar habitats in adjacent or local areas, except where the management goal is to increase the variability of the park gene pool to mitigate past, human-induced loss of genetic variability. Transplants for purposes of restoring genetic variability through gene flow between native breeding populations will be preceded by research on the genetic compatibility of the populations.

The need to maintain appropriate levels of genetic diversity will guide decisions on what actions to take to manage isolated populations of species or to enhance populations of rare, threatened, or endangered species. All resource management actions involving planting or relocating species, subspecies, or varieties will be guided by knowledge of local adaptations, ranges, and habitat requirements and detailed knowledge of site ecological histories.

When individual plants or animals must be removed for any reason – hunting, fishing, pest management, or culling to reduce excess populations resulting from human activities – the National Park Service will consider the need to maintain appropriate levels of genetic diversity in the residual park populations.

(See Animals 4:5, Threatened or Endangered Plants and Animals 4:11, Exotic Plants and Animals 4:11, Pests 4:13, Fishing 8:4, Hunting and Trapping 8:4)

Restoration of Native Plants and Animals

The National Park Service will strive to restore native species to parks wherever all the following criteria can be met:

Adequate habitat to support the species either exists or can reasonably be restored in the park and if necessary on adjacent public lands and waters, and once a natural population level is achieved, it can be self-perpetuating.

The species does not, based on an effective management plan, pose a serious threat to the safety of park visitors, park resources, or persons or property outside park boundaries.

The subspecies used in restoration most nearly approximates the extirpated subspecies or race.

The species disappeared, or was substantially diminished, as a direct or indirect result of human-induced change to the species population or to the ecosystem.

Such programs will be carried out in cooperation with other affected agencies, organizations, and individuals.

Any necessary confinement of animals in small fenced areas during restoration efforts will continue only until the animals have become thoroughly accustomed to the new area or they have become sufficiently established to minimize threats from predators, poaching, disease, or other factors.

(See Genetic Resources 4:10)

Threatened or Endangered Plants and Animals

Consistent with the purposes of the Endangered Species Act (16 USC 1531 et seq.), the National Park Service will identify and promote the conservation of all federally listed threatened, endangered, or candidate species within park boundaries and their critical habitats. As necessary, the Park Service will control visitor access to and use of critical habitats, and it may close such areas to entry for other than official purposes. Active management programs will be conducted as necessary to perpetuate the natural distribution and abundance of threatened or endangered species and the ecosystems on which they depend. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service are the lead agencies in matters pertaining to federally listed threatened and endangered species. The Park Service will cooperate with those agencies in activities such as the delineation of critical habitat and recovery zones on park lands and will participate on recovery teams.

The National Park Service also will identify all state and locally listed threatened, endangered, rare, declining, sensitive, or candidate species that are native to and present in the parks, and their critical habitats. These species and their critical habitats will be considered in NPS planning activities. Based on an analysis of the status of state and locally listed species throughout their native ranges and throughout the national park system, the National Park Service may choose to control access to critical habitats or to conduct active management programs similar to activities conducted to perpetuate the natural distribution and abundance of federally listed species. The Park Service will cooperate with the agencies responsible for state or locally listed species.

Plant and animal species considered to be rare or unique to a park will be identified, and their distributions within the park will be mapped.

All management actions for protection and perpetuation of special status species will be determined through the park's resource management plan.

(See Planning for Natural Resource Management 4:2, Genetic Resources 4:10)

Exotic Plants and Animals

Exotic species are those that occur in a given place as a result of direct or indirect, deliberate or accidental actions by humans (not including deliberate reintroductions). For example, the construction of a fish ladder at a waterfall might enable one or more species to cross that natural barrier to dispersal. An exotic species might also be introduced through seeds in the droppings of an animal that has fed on an exotic species outside the park. The exotic species introduced because of such human action would not have evolved with the species native to the place in question and, therefore, would not be a natural component of the ecological system characteristic of that place.

Introduction of New Exotic Species. Decisions on whether to introduce an exotic species will be based on the purposes and designated zones of the park and will be undertaken only after rigorous review of the proposal.

Nonnative plants and animals will not be introduced into natural zones except in rare cases where they are the nearest living relatives of extirpated native species, where they are improved varieties of native species that cannot survive current environmental conditions, where they may be used to control established exotic species, or when directed by law or expressed legislative intent.

In cultural zones, nonnative plant and animal species may be introduced in rare cases as described for natural zones. In addition, nonnative species that are a desirable part of the historic scene being represented in a cultural zone may be introduced, but only if they are controlled by such means as cultivating for plants or tethering, herding, or pasturing for animals. In such cases the exotics used must be those which are known either to have existed in the park during its period of historical significance or to have been commonly used in the local area at that time, except in cases where agricultural permits allow other crops.

In park development and special use zones (particularly landscape subzones), exotic species of plants and animals may be introduced to carry out NPS programs consistent with park objectives only when all the following conditions exist:

Available native species will not meet the needs of the management program.

Based on scientific advice from appropriate federal, state, local, and nongovernmental sources, the exotic species will not become a pest.

Such introductions will not spread and disrupt desirable adjacent natural plant and animal communities and associations, particularly those of natural zones.

The exotic species chosen should be superior in maintainability.

(See Basic Management Concepts 4:1, Fisheries Management 4:7, Genetic Resources 4:10, Pests 4:13, Agricultural Uses 8:14)

Management of Exotic Species Already Present. Management of populations of exotic plant and animal species, up to and including eradication, will be undertaken wherever such species threaten park resources or public health and when control is prudent and feasible. Examples of threatening situations include

posing a public health hazard as determined by the Centers for Disease Control or a hazard to public safety

disrupting the accurate presentation of a historic scene

damaging historic or archeological resources

interfering with natural processes and the perpetuation of natural features or native species (especially those that are endangered, threatened, or otherwise unique)

significantly hampering the management of park or adjacent lands

High priority will be given to the management of exotic species that have a substantial impact on park resources and that can reasonably be expected to be successfully controlled; lower priority will be given to exotic species that have almost no impact on park resources or that probably cannot be successfully controlled. The decision to initiate a management program will be based on existing, and where necessary newly acquired, scientific information that identifies the exotic status of the species, demonstrates its impact on park resources, and indicates alternative management methods and their probabilities of success. A management plan will be developed and implemented according to established planning procedures and will include provisions for public review and

comment, where appropriate. Care will be taken that programs to manage exotic species do not result in significant damage to native species, natural ecological communities, natural ecological processes, or historic objects.

In national recreation areas and preserves where the enhancement of fish and game species for hunting and fishing is authorized, preference will be given to enhancing native species. However, where stocking of exotic fish and game species has historically occurred, stocking for the same species may be continued unless it is known to be damaging native resources.

(See Fisheries Management 4:7)

Pests

Pest Management. Pests are animal or plant populations that interfere with the purposes of the park. Strategies for managing pest populations will be influenced by whether the pest is an exotic or native species. Many fungi, insects, rodents, diseases, and other species that may be perceived as pests are native plants and animals existing under natural conditions as natural elements of the ecosystem. Also, native species pests that were evident in historic, pesticide-free times are traditional elements in cultural settings. Native pests will be allowed to function unimpeded except where control is desirable

to prevent the loss of the host or host-dependent species from the ecosystem

to prevent outbreaks of the pest from spreading to forests, trees, other plant communities, or animal populations outside the park

to conserve threatened, endangered, or unique plant specimens or communities

to preserve, maintain, or restore the historical integrity of cultural resources

to conserve and protect plants and animals in developed zones

to manage a human health hazard as defined by the Centers for Disease Control or to protect against a significant threat to public safety

Proposed pest control measures must be included in an approved resource management plan.

Under an approved resource management plan, a concerted effort may be made to prolong the life of any historically significant tree, grove, woodland, forest, or other plant community existing at or representative of the time of the event commemorated.

Exotic plant and animal pests will be controlled according to provisions of the exotic species policy, stated above.

(See Planning for Natural Resource Management 4:2, Genetic Resources 4:10, Exotic Plants and Animals 4:11)

Integrated Pest Management Procedures. Integrated pest management (IPM) procedures will be used to determine when to control pests and whether to use mechanical, physical, chemical, cultural, or biological means. Integrated pest management is the coordinated use of pest and environmental information with available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The choice to use a chemical pesticide will be based on a review by regional and Washington office coordinators of all other available options and a determination that these options are either not acceptable or not feasible; cost or staffing considerations alone will not be adequate justification for use of chemical control agents. Chemical pesticides that are not specifically exempt from reporting (regardless of who the applicator is) will be used only with prior approval by the Director on an annual basis. The application of such pesticides is subject to the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136 et seq.), Department of the Interior policies and procedures (DM 517), the NPS draft *Pesticide Use Guideline*, Environmental Protection Agency regulations in 40 CFR, and Occupational Safety and Health Administration regulations.

Pesticide Storage and Purchase. Pesticide purchases in any year will be limited to the amount authorized to be used during the year. Pesticide storage and disposal are subject to procedures established by the Environmental Protection Agency and the individual states where parks are located.

(See Hazardous Materials and Toxic Waste 9:6)

FIRE MANAGEMENT

[Note: Fire management policies are under review by the Interagency Fire Management Policy Review Team and will be modified as necessary pursuant to their recommendations.]

Park Fire Management Programs

Fire is a powerful phenomenon with the potential to drastically alter the vegetative cover of any park. Fire may contribute to or hinder the achievement of park objectives. Park fire management programs will be designed around resource management objectives and the various management zones of the park. Fire-related management objectives will be clearly stated in a fire management plan, which is to be prepared for each park with vegetation capable of burning, to guide a fire management program that is responsive to park needs.

All fires in parks are classified either as prescribed fires or wildfires. Prescribed fires include fires deliberately ignited by managers (prescribed burns) or fires of natural origins permitted to burn under prescribed conditions (prescribed natural fires) to achieve predetermined resource management objectives. To ensure that these objectives are met, each prescribed fire will be conducted according to a written fire prescription. All fires that do not meet the criteria for prescribed fires are wildfires and will be suppressed.

All fires will be monitored with sufficient instrumentation and documentation to (1) record the significant fire behavior and decisions, (2) determine whether specified objectives were met, and (3) assess fire effects. Agreements will be pursued with cooperators at all levels to facilitate efficient fire management activities within and adjacent to the parks. Specific guidance on wildland fires is contained in the NPS *Fire Management Guideline* (NPS-18) and in section 910 of the *Departmental Manual.*

(See Weather and Climate 4:19)

Wildfire Prevention and Suppression

Active fire-prevention programs will be conducted in fire-prone parks. The National Park Service will work with adjacent landowners to prevent human-caused wildfires and their potential adverse impacts on human life, facilities, or park cultural or natural resources.

The methods used to suppress all wildfires should be those minimizing the impact of the suppression action and the fire itself, commensurate with effective control. The full range of suppression strategies, from confinement, through containment, to full aggressive control, will be considered by superintendents guiding suppression efforts. The only exception to the suppression of wildfires may be within prescribed burn units. Wildfires originating in those units that meet all prescription parameters may, with the written concurrence of adjacent land managers and wildland fire control agencies, be reclassified as prescribed burns and carried out in line with the approved fire management plan for that unit.

(See Landscapes and Plants 4:8, Fire Detection and Suppression 5:13, Fire Management 6:7, Structural Fire Protection and Suppression 9:7)

Prescribed Fires

Prescribed natural fires contribute to the management of natural areas, while prescribed burns may contribute to the resource objectives of any park. All prescribed fires are carried out under the written and approved prescriptions within carefully defined fire management units.

Prescribed natural fires are the preferred means for achieving resource management objectives in natural zones. If unnatural fuel loads exist it may be necessary to use conservative prescriptions initially to avoid excessive impacts. In some cases prescribed burns with conservative prescriptions may be needed to restore an area to a natural range of conditions. Prescribed burns may also be used to attain other resource objectives such as restoring or maintaining historic settings, maintaining open scenes, and reducing hazardous fuel accumulations.

Permissible prescribed fire intensities may range from creeping surface fires to stand-replacing crown fires provided that the fire behavior is reasonably predictable and the effects are acceptable as defined by the prescription and management plan. All fire management plans will consider effects on air quality, visibility, and health along with other resource management objectives. Management action to minimize the production and accumulation of smoke will be included in every fire prescription. All prescribed fires will comply with smoke management and air quality regulations of state and local authorities, regardless of the park's jurisdiction.

(See Air Quality 4:17, Fire Management 6:7, Visitor Safety and Protection 8:55)

WATER MANAGEMENT

Protection of Surface and Ground Waters

Water Quantity and Quality. The National Park Service will seek to perpetuate surface and ground waters as integral components of park aquatic and terrestrial ecosystems. Park waters, either surface waters or groundwaters, will be withdrawn for consumptive use only where such withdrawal is absolutely necessary for the use and management of the park and when studies show that it will not significantly alter natural processes and ecosystems. All water withdrawn from a park for domestic use will be returned to the park watershed system once it has been treated to a degree that assures there will be no impairment of park resources. Interbasin transfer will be avoided.

The National Park Service will seek to restore, maintain, or enhance the quality of all surface and ground waters within the parks consistent with the Clean Water Act (33 USC 1251 et seq.) and

other applicable federal, state, and local laws and regulations. The quality of water originating within the boundaries of parks will be maintained through the following management actions:

Adequate sewage treatment and disposal will be provided for all public use and administrative facilities. Sewage treatment and disposal are subject to the provisions of Executive Order 12088, "Federal Compliance with Pollution Control Standards" (42 USC 4321).

Human activities will be managed to control erosion.

Direct pollution by livestock under commercial grazing permits will be prevented by eliminating streamside or lakeside corrals and pastures and associated watering sites on natural waters wherever possible.

Fuel-burning watercraft and marina operations, placer mining, and other activities with high potential for water pollution will be regulated and controlled as necessary.

Toxic substances, such as pesticides, petroleum products, and heavy metals, will be managed to minimize the risk of water contamination.

The intensity of use will be regulated in certain areas and at certain times determined to be necessary based on water quality monitoring studies.

The following additional actions will be taken to protect the quality of water flowing through parks or along their boundaries:

The National Park Service will enter into agreements or compacts with other agencies and governing bodies to secure their cooperation in avoiding degradation of water resources.

Consistent with the rights of others, the Park Service will maintain a continuous vigilance by observing and monitoring upstream diversions, adjacent uses, and groundwater withdrawals and their effects on the occurrence, quantity, and quality of water necessary for the continued preservation of park biota and ecosystems.

The National Park Service will seek state support in helping to protect and enhance the quality of park waters through special use classifications, such as outstanding resource waters.

(See Integrated Pest Management Procedures 4:13, Soil Resource Management 4:19, Backcountry Use 8:3, Mineral Development 8:12, Grazing 8:14, Water Supply and Wastewater Treatment Systems 9:5, Hazardous Materials and Toxic Waste 9:6, Facilities for Water Recreation 9:14)

Floodplains and Wetlands. The occupancy and modification of floodplains and wetlands will be avoided wherever possible. Where no practicable alternatives exist, mitigating measures will be implemented to minimize potential harm to life, property, and the natural values of floodplains and wetlands. Management of floodplains and wetlands is subject to the provisions of Executive Order 11988, "Floodplain Management" (42 USC 4321), Executive Order 11990, "Protection of Wetlands" (42 USC 4321), the Rivers and Harbors Act (33 USC 401 et seq.), and section 404 of the Clean Water Act (33 USC 1344).

Under the terms of the executive orders, each park will

inventory wetlands and those floodplains subject to or potentially subject to public use or development

identify high-hazard flood areas and take actions to limit risks to people and property

inventory existing structures, facilities, and programs that involve the use of floodplains and wetlands and prepare plans for protection or restoration of affected floodplains and wetlands

(See Siting Facilities to Avoid Natural Hazards 9:2)

Water Rights

Water for the preservation, management, development, and use of the national park system will be obtained and used in accordance with legal authority and with due consideration for the needs of other water users. The National Park Service will generally obtain water rights by assertion of appropriative rights recognized under state law. Essential water rights will be purchased if unappropriated water is not otherwise available. The Service will seek negotiated settlements to resolve conflicts among multiple water claimants. The Service will assert claims to reserved federal water rights for water quantities determined to be the minimum amounts needed to protect the primary purposes of a given park. Where stated, primary purposes are those articulated in the legislation or proclamation establishing the park. Such legislation or proclamation establishes the priority date for the given park. In all cases, the Service will use state courts and state proceedings in accordance with state law to resolve conflicts between it and other claimants. The Service will not execute or file a claim to reserved water rights as a "protective" pleading in the absence of a reasoned finding that these conditions are met. The Park Service will use water efficiently, and in water-scarce areas, will use it frugally.

All rights to the use of water diverted to or used on federal lands within the national park system by the United States or its concessioners, lessors, or permittees will be perfected in the name of the United States.

The National Park Service may enter into contracts providing for the sale or lease of water to persons, states, or their political subdivisions if they provide public accommodations or services for park visitors within the immediate vicinity of a park and if they have no reasonable alternative sources of water, so long as the water transfer does not jeopardize or unduly interfere with the primary natural or cultural resources of the park. The National Park Service will submit such proposals in writing, together with related information, to the appropriate congressional committees for review prior to entering into any legally or morally binding commitments.

AIR RESOURCE MANAGEMENT

Air Quality

The National Park Service will seek to perpetuate the best possible air quality in parks because of its critical importance to visitor enjoyment, human health, scenic vistas, and the preservation of natural systems and cultural resources. Vegetation, visibility, water quality, wildlife, historic and prehistoric structures and objects, and most other elements of a park environment are sensitive to air pollution and are referred to as "air quality related values." The Park Service will assume an aggressive role in promoting and pursuing measures to safeguard these values from the adverse impacts of air pollution. In cases of doubt as to the impacts of existing or potential air pollution on park resources, the Park Service will err on the side of protecting air quality and related values for future generations.

The National Park Service has a responsibility to protect air quality under both the 1916 organic act and the Clean Air Act (42 USC 7401 et seq.). Although the Clean Air Act gives the highest level of air quality protection to class I areas, it provides many opportunities for the National Park

Service to participate in the development of pollution control programs to preserve, protect, and enhance the air quality of all units of the national park system. The Clean Air Act requires superintendents to take actions consistent with their affirmative responsibilities to protect air quality related values in class I areas (that is, all NPS units designated as national parks with more than 6,000 acres and all national wilderness areas with more than 5,000 acres that were in existence on August 7, 1977, and any other area redesignated as class I by the governing state or native American authority). The act also establishes a national goal of preventing any future and remedying any existing man-made visibility impairment in class I areas.

Air resource management will be integrated into NPS operations and planning, and all air pollution sources within parks will comply with all federal, state, and local air quality regulations. Furthermore, because the current and future quality of park air resources depends heavily on actions of others, the National Park Service will acquire information needed to participate in decision making that affects park air quality. Management activities will include

inventorying air quality related values associated with each park

monitoring and documenting the condition of air quality and related values

evaluating air pollution impacts and identifying causes

ensuring healthful indoor air quality in NPS facilities

External programs needed to remedy existing and prevent future impacts on park resources and values from man-made air pollution will be aggressively pursued by participating in the development of federal, state, and local air pollution control plans and regulations. Permit applications for major new air pollution sources will be reviewed, and potential impacts will be assessed. If it is determined that any such new source might cause or contribute to an adverse impact on air quality related values, it will be recommended to the permitting authority that the construction permit be denied or modified to eliminate adverse impacts. The public's understanding of park air quality issues will be promoted through educational and interpretive programs.

(See Chapter 7: Interpretation and Education; see also Prescribed Fires 4:15, Environmental Monitoring and Control 5:14, Visitor Safety 8:5, Energy Management 9:7)

Noise

The National Park Service will strive to preserve the natural quiet and the natural sounds associated with the physical and biological resources of the parks (for example, the sounds of the wind in the trees or of waves breaking on the shore, the howl of the wolf, or the call of the loon). Activities causing excessive or unnecessary unnatural sounds in and adjacent to parks, including low-elevation aircraft overflights, will be monitored, and action will be taken to prevent or minimize unnatural sounds that adversely affect park resources or values or visitors' enjoyment of them. In accordance with 36 CFR 2.12 the operation of motorized equipment or sound devices that create unreasonable audio disturbances will be prohibited.

(See Aircraft Use 8:8)

Artificial Light

The National Park Service will cooperate with park neighbors and local government agencies to seek to minimize the intrusion of artificial light into the night scene in parks with natural dark, recognizing the part that darkness and the night sky play in the overall visitor experience. In

natural areas, artificial outdoor lighting will be limited to basic safety requirements and will be shielded when possible.

(See Visitor Safety 8:5)

Weather and Climate

Parks containing natural zones will gather and maintain baseline climatological data for perpetual reference.

Because any human attempt to modify weather in parks has the potential to alter the natural conditions in the parks, the National Park Service will not conduct weather-modification activities, and it will seek to prevent weather modification activities conducted by others from affecting park weather, climate, and resources.

(See Science and Research 4:2, Inventory and Monitoring 4:4, Miscellaneous Management Facilities 9:16)

PALEONTOLOGIC RESOURCE MANAGEMENT

Paleontologic resources, including both organic and mineralized remains in body or trace form, will be protected, preserved, and developed for public enjoyment, interpretation, and scientific research in accordance with park management objectives and approved resource management plans.

Paleontological research by the academic community will be encouraged and facilitated under the terms of a research permit when it meets all the following criteria:

The project cannot be conducted outside the park and involves more than simple collection of additional specimens of types already collected.

The project will answer an important question about the resource.

Information obtained through the research will be made available to the park.

Management actions will be taken to prevent illegal collecting and may be taken to prevent damage from natural processes such as erosion. Protection may include construction of shelters over specimens for interpretation in situ, stabilization in the field, or collection, preparation, and placement of specimens in museum collections. The localities and geologic settings of specimens will be adequately documented when specimens are collected.

(See Science and Research 4:2, Natural Resource Collections 4:4, Research and Collection Activities 8:15)

GEOLOGIC RESOURCE MANAGEMENT

Protection of Geologic Features

Park geologic features will be protected. Certain fragile geologic features, such as geysers, caves, sand dunes, and arches, will be monitored to determine if measures are needed to prevent or stop human-caused damage.

Soil Resource Management

The National Park Service will actively seek to understand and preserve the soil resources of parks and to prevent, to the extent possible, the unnatural erosion, physical removal, or contamination of the soil, or its contamination of other resources. Resource managers will create, where appropriate, detailed soil maps, define the distribution of soil series, determine their physical and chemical characteristics, and provide interpretations needed to promote soil conservation and to guide resource management and development decisions.

Potential impacts on soil resources will be routinely monitored. Management action will be taken to mitigate adverse, potentially irreversible, impacts on soils caused by heavy visitor use around major park attractions and facilities. Conservation and soil amendment practices may be implemented to reduce impacts. Importation of nonnative soil amendments or other soil materials may be necessary to mitigate degradation, but this alternative must be deemed appropriate by an agronomist or trained soil management specialist and designed to avoid introduction of exotic species.

Cave Management

Caves will be managed to perpetuate their atmospheric, geologic, biological, ecological, and cultural resources in accordance with approved cave management plans (action plans appended to approved resource management plans). Natural drainage patterns, air flows, and plant and animal communities will be protected.

Developments, such as artificial entrances, enlarged natural entrances, pathways, lighting, interpretive devices, ventilation systems, and elevator shafts, will be permitted only where necessary for general public use and when such development will not significantly alter any conditions perpetuating the natural cave environment or harm cultural resources. No potentially harmful development or use will be undertaken in, above, or adjacent to caves until it can be demonstrated that it will not significantly affect natural cave conditions, including subsurface water movements. Developments already in place above caves will be removed if they are significantly altering natural conditions.

Caves or portions of caves will be closed to public use, or use will be controlled, when such actions are required for human safety or the protection of cave resources. Some caves or portions of caves may be managed exclusively for research, with access limited to approved research personnel.

(See General Policy 6:3)

Shoreline Management

In natural zones, natural shoreline processes (erosion, deposition, dune formation, inlet formation, and shoreline migration) that are not influenced by human actions will be allowed to continue without abatement except where control measures are required by law. In instances where human activities or structures have altered the nature or rate of shoreline processes, the National Park Service will, in consultation with appropriate state and federal agencies, investigate alternatives for mitigating the effects of such activities or structures. The National Park Service will comply with provisions of state coastal zone management plans prepared under the Coastal Zone Management Act (16 USC 1451 et seq.) when such provisions are more environmentally restrictive than NPS management zoning.

In cultural zones any necessary control measures will be predicated on thorough studies of the nature and velocity of shoreline processes, the threat to cultural resources, the significance of the cultural resources, and alternatives, including costs, for protecting cultural resources. Such studies also will determine if and how control measures would impair resources and processes in natural zones, so that an informed decision may be made on the course of action to be followed.

Managers will plan to phase out, relocate, or provide alternative facilities for park developments located in hazardous areas that cannot reasonably be protected. Where erosion control is required by law, or where present developments must be protected in the short run to achieve park management objectives, the National Park Service will use the most natural-appearing and effective method feasible.

New developments will not be placed in areas subject to flood or wave erosion or active shoreline processes unless all the following criteria apply:

They are essential to meet the park's purposes, as defined by its establishing act or other enabling document.

No practicable alternative locations are available.

The development will be reasonably assured of surviving during its planned life span without the need for shoreline control measures.

Where no practicable alternative exists, steps will be taken to minimize safety hazards and harm to property and natural values.

(See Floodplains and Wetlands 4:16, Treatment of Cultural Resources 5:5, Visitor Safety and Protection 8:5, Siting Facilities to Avoid Natural Hazards 9:2)

5 Cultural Resource Management

truman home
independence missouri

5 Cultural Resource Management

The National Park Service will preserve and foster appreciation of the cultural resources in its custody through appropriate programs of research, treatment, protection, and interpretation.

All NPS programs affecting cultural resources are subject to the provisions of the National Historic Preservation Act (16 USC 470 et seq.), the National Environmental Policy Act (42 USC 4371 et seq.), the American Indian Religious Freedom Act (42 USC 1996), the Advisory Council on Historic Preservation's regulations regarding "Protection of Historic Properties" (36 CFR 800), the Secretary of the Interior's "Standards and Guidelines for Archeology and Historic Preservation" (FR 48:44716-40), and "Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act" (FR 53:4727-46). Other applicable legislation and regulations and specific management procedures are detailed in the *Cultural Resources Management Guideline* (NPS-28).

RESOURCE IDENTIFICATION, EVALUATION, AND REGISTRATION

The National Park Service will identify and evaluate the cultural resources of each park as required parts of the park's information base. The resulting inventories will provide the substantive data for nominating resources to the National Register of Historic Places; for general park planning and specific cultural resource management proposals; for land acquisition, development, interpretation, and maintenance activities; and for compliance with legal requirements.

(See Information Base 2:5)

Inventories

The following cultural resource inventories will be maintained for the national park system: (1) a List of Classified Structures encompassing historic and prehistoric structures; (2) a Cultural Sites Inventory consisting of both prehistoric/historic archeological resources and ethnographic resources (cultural and natural) associated with contemporary native Americans and other ethnic groups; and (3) a National Catalog of Museum Objects encompassing all cultural and natural history objects in NPS collections.

(See Information Base 2:5, Museum Objects and Library Materials 5:9, Ethnographic Research and Inventories 5:12)

Evaluation and Categorization

To assist in management decisions about the treatment and use of cultural resources, all resources will be professionally evaluated and categorized according to criteria of significance established by the National Park Service and listed in the *Cultural Resources Management Guideline.*

National Register Nomination

All resources that appear to meet the criteria for the National Register of Historic Places will be nominated individually, as components of historic districts, or within multiple property nominations. Parks significant primarily for their cultural resources are automatically entered in the National Register upon establishment, but nomination forms will still be submitted to document the qualifying features of such parks.

National Historic Landmark Designation

Resources eligible for the National Register that appear to possess national significance may qualify for national historic landmark designation if they are unrelated to the primary purposes or themes of their parks (that is, if they lie within predominantly natural or recreational parks or within cultural parks focusing on other themes). National Register forms documenting the case for possible landmark designation will be submitted for such resources.

World Heritage Site Designation

Cultural properties believed to possess international significance may be nominated to the World Heritage List. Inclusion in the Indicative Inventory of Potential U.S. World Heritage Nominations will be a prerequisite for nomination. U.S. recommendations are approved by an interagency panel chaired by the Assistant Secretary for Fish and Wildlife and Parks, based on criteria promulgated by the World Heritage Committee. These criteria and the rules for U.S. participation in the Convention Concerning the World Cultural and Natural Heritage are published in 36 CFR 73.

(See World Heritage Sites 4:5)

RESEARCH

The National Park Service will conduct a coordinated program of basic and applied research to support planning for and management of park cultural resources. The principal goals of such mission-oriented research will be

to ensure a systematic and fully adequate park information base

to identify and evaluate cultural resources

to develop appropriate technologies and methods for monitoring, treating, and protecting cultural resources

to ensure accurate treatment and interpretation of cultural resources employing the best current scholarship

to develop ethnographically appropriate approaches to conserving park cultural and natural resources

Adequate research to support planning and legal compliance will precede any final decisions about the preservation or treatment of cultural resources or about park development or operational activities that might affect cultural resources. Research needs will be identified and justified in an approved park resource management plan.

Execution of research will be preceded by approved documentation of the work to be performed. The documentation will address the relationship of the research to management objectives; the theoretical orientation and methodology of the research; how data will be recorded, ensuring confidentiality when warranted; the dissemination of results; the preservation of physically affected resources, including data recovery; and the cataloging of collections.

All research, whether conducted by NPS personnel, contractors, cooperative researchers, or independent researchers, will conform to current standards of scholarship. It will be administered and conducted only by fully qualified personnel. The Park Service will support its research personnel in maintaining and improving their disciplinary knowledge and skills.

The data and knowledge acquired through research will be made widely available within and outside the National Park Service through such media as professional and technical reports, professional journals, popular publications, exhibits, and audiovisual productions. The status of current research and significant findings will be publicized through workshops, seminars, conferences, journal articles, and the news media. Certain research data may be withheld from public disclosure to protect sensitive archeological, historic, or ethnographic resources. The National Park Service will maintain a centralized cultural resource management bibliography of all research reports and planning documents addressing park cultural resources.

(See Information Base 2:5, Science and Research 4:2, Planning and Proposal Formulation 5:4, Library Materials 5:11, Ethnographic Research and Inventories 5:12, Consultation and Confidentiality 5:12, Confidentiality of Resource Data 5:13)

Cooperative and Independent Research

The National Park Service will promote cooperative relationships with recognized educational and scientific institutions and qualified individuals, encouraging them to direct their research toward park management objectives. Where appropriate, the Park Service will affiliate its cultural resource preservation and research facilities and activities with recognized institutions. The Service will encourage and, where appropriate, support independent research pertinent to the broader contexts within which park resources exist. NPS facilities and assistance will be made available to qualified scholars conducting NPS-authorized research as long as park operations will not be impeded or park resources impaired.

Research unrelated to NPS requirements will not be undertaken or funded by the National Park Service, but may be conducted by qualified independent investigators. The issuance of a permit for independent research involving physical intervention into the fabric of cultural resources or the collection of objects in parks will be subject to compelling evidence that the proposal is essential to significant research concerns and that the purpose of this research can be reasonably achieved only by using park resources.

All cooperative and independent research must conform to NPS policies and guidelines.

(See Conduct of Research 4:3, Research and Collection Activities 8:15)

Preservation of Data and Collections and Protection of Research Potential

The National Park Service will not take or allow any action that reduces the research potential of cultural resources without an appropriate level of research and documented data recovery. Because research involving physical intervention into cultural resources or removal of objects is a destructive process entailing an irretrievable commitment of the resources, research in parks will employ nondestructive methods to the maximum extent feasible.

Field data, objects, specimens, and features of structures retrieved for preservation during cultural resource research and treatment projects, together with associated records and reports, will be managed within the park museum collection. Where practical, the features of sites and structures will be left in place.

(See Museum Objects and Library Materials 5:9)

CONSULTATION

Other federal agencies, state and local governments, potentially affected native American and other communities, interest groups, and entities specified by law or regulation, including state historic preservation officers and the Advisory Council on Historic Preservation, will be given opportunities to become informed about and comment on anticipated NPS actions at the earliest practicable time. The National Park Service will also encourage the continuing informal exchange of views with concerned local communities on cultural resource matters.

PLANNING AND PROPOSAL FORMULATION

Overall direction for the identification, evaluation, protection, treatment, and use of cultural resources will be provided in the basic planning document(s) for each park.

Each park with cultural resources will prepare and periodically update a cultural resource component of the park's resource management plan, defining and programming the activities required to perpetuate and provide for the public enjoyment of those resources.

Any action that might affect cultural resources will be undertaken only if it meets all the following criteria:

The action is consistent with the park's purposes and applicable NPS policies and guidelines.

Cultural resource specialists have participated in planning, and sufficient data have been gathered to assess the probable effects.

Relevant sections of the National Historic Preservation Act have been complied with in accordance with the regulations of the Advisory Council on Historic Preservation (36 CFR 800) and the "Guidelines for Federal Responsibilities under Section 110 of the National Historic Preservation Act" (FR 53:4728).

In cases involving ethnographic resources, associated native American and other ethnic groups have been consulted, and their concerns have been taken into account.

Any action that will affect cultural resources adversely will be undertaken only if the following additional criteria are also met:

There is no reasonable alternative.

All reasonable measures to limit adverse effects will be taken, including recovery of data and salvage of materials, as appropriate.

(See Implementation Plans 2:9, Treatment of Cultural Resources 5:5, Ethnographic Resources 5:11)

TREATMENT OF CULTURAL RESOURCES

With some differences by type, cultural resources are subject to several basic treatments, including preservation as is, restoration to earlier appearances by the removal of later accretions and replacement of missing elements, and reconstruction or reproduction to replicate absent original resources. The fundamental question of which treatments will best provide for the preservation and public enjoyment of particular cultural resources will be decided through planning. No treatment project will be undertaken unless supported by an approved proposal, plan, or report appropriate to the proposed action. The significance of the resource, its condition, its interpretive value, its research potential, and the availability of data will all be weighed in determining the appropriate treatment. The appearance and condition of the resource before treatment and changes made during treatment will be appropriately documented. Pending planning decisions, all cultural resources will be protected and preserved in their existing conditions.

As a basic principle, anything of historical appearance that the National Park Service presents to the public in a park will be either an authentic survival from the past or an accurate representation of that which formerly existed there. Reconstructions and reproductions will be clearly identified as such.

Achievement of other park purposes may sometimes conflict with and outweigh the value of cultural resource preservation. The planning process will be the vehicle for weighing conflicting objectives and deciding that a cultural resource should not be preserved. Following such a decision, significant resource data and materials will be retrieved. The resource will then be permitted to deteriorate naturally, unless its destruction or direct removal is necessary for public safety or to eliminate an unacceptable intrusion. This policy does not apply to museum objects.

Policies applicable to specific cultural resource classes follow.

(See Planning Process and Products 2:4, Planning and Proposal Formulation 5:4, Cultural Resources 6:7)

ARCHEOLOGICAL RESOURCES

Treatment

Archeological resources will be left undisturbed unless removal of artifacts or intervention into fabric is justified by protection, research, interpretive, or development requirements. They will be preserved in a stable condition to prevent degradation and loss of research values or in-situ exhibit potential. Structures of archeological significance and recovered archeological objects are also subject to the treatment policies for structures and museum objects.

(See Museum Objects and Library Materials 5:9)

Archeological Data Recovery

Significant archeological data that would be lost as a result of resource treatment projects, park development, uncontrollable degradation or destruction from natural or human causes, or other activities will be recovered in accordance with appropriate research proposals.

CULTURAL LANDSCAPES

Treatment

Preservation. A cultural landscape will be preserved in its present condition if (1) that condition allows for satisfactory protection, maintenance, use, and interpretation, or (2) another treatment is warranted but cannot be accomplished until some future time.

Rehabilitation. A cultural landscape may be rehabilitated for contemporary use if (1) it cannot adequately serve an appropriate use in its present condition, and (2) rehabilitation will retain its essential features and will not alter its integrity and character or conflict with park management objectives.

Restoration. A cultural landscape may be restored to an earlier appearance if (1) restoration is essential to public understanding of the cultural associations of a park, and (2) sufficient data exist to permit restoration with minimal conjecture.

Reconstruction. An obliterated cultural landscape may be reconstructed if (1) reconstruction is essential to public understanding of the cultural associations of a park established for that purpose, and (2) sufficient data exist to permit reconstruction with minimal conjecture.

General Management

The management of cultural landscapes will recognize and protect significant historic, archeological, ethnographic, and design values. Treatment decisions will take into account both the natural and built features of the landscape and the dynamics inherent in natural processes and continued human and animal occupation. The perpetuation of significant vistas and historic parkway and park road landscape design features will receive special emphasis.

Every effort will be made to ensure that routine park operations do not intrude unnecessarily on a cultural landscape by introducing visible, audible, or atmospheric elements out of character with the historic environment. Trash disposal, storage of materials, parking of vehicles, and other operational activities will be conducted out of public view to the maximum extent feasible.

Cultural landscapes, like other cultural resources, will not be "beautified" to suit modern aesthetic tastes through decorative plantings or other modifications not reflecting historic conditions.

(See Revegetation and Landscaping 9:4)

STRUCTURES

Treatment

Preservation. A structure will be preserved in its present condition if (1) that condition allows for satisfactory protection, maintenance, use, and interpretation, or (2) another treatment is warranted but cannot be accomplished until some future time.

Rehabilitation. A structure may be rehabilitated for contemporary functional use if (1) it cannot adequately serve an appropriate use in its present condition, and (2) rehabilitation will not alter its integrity and character or conflict with park management objectives. Rehabilitation does not apply to prehistoric structures.

Restoration. A structure may be restored to an earlier appearance if (1) restoration is essential to public understanding of the cultural associations of a park, and (2) sufficient data exist to permit restoration with minimal conjecture.

Reconstruction. A vanished structure may be reconstructed if (1) reconstruction is essential to public understanding of the cultural associations of a park established for that purpose, (2) sufficient data exist to permit reconstruction on the original site with minimal conjecture, and (3) significant archeological resources will be preserved in situ or their research values will be realized through data recovery. A vanished structure will not be reconstructed to appear damaged or ruined. Generalized representations of typical structures will not be attempted.

(See Physical Access for Disabled Persons 5:14, Ruins 5:8, Environmental Monitoring and Control 5:14)

Movement of Historic Structures

Proposals for moving historic structures to or within parks will consider the effects of movement on the structures, their present environments, their proposed environments, and the archeological research value of the structures and their sites. No historic structure will be moved if its preservation would be adversely affected or until the appropriate recovery of significant archeological data has occurred. Prehistoric structures will not be moved.

A historic structure may be acquired for relocation to a park only if (1) a comparable structure existed there historically, and (2) the acquired structure is essential to public understanding of the park's cultural associations. No structure will be acquired to substitute for a missing structure of national significance. In general, the acquisition of historic structures for parks will be governed by the policies for reconstruction of historic structures, including provisions for data recovery.

A nationally significant structure may be moved only if (1) it cannot practically be preserved on its present site, or (2) the move constitutes a return to a previous historic location, and the previous move and present location are unimportant to the structure's significance. A structure of less-than-national significance may be moved if (1) it cannot practically be preserved on its present site, or (2) its present location is unimportant to its significance, and its relocation is essential to public understanding of the park's cultural associations.

In moving a historic structure, every effort will be made to reestablish its historic orientation, immediate setting, and general relationship to its environment. If several structures are moved, they may be arranged in an ensemble appropriate to their character, if they are comparable to structures formerly present there and if their assembly is essential to public understanding of the park's cultural associations. The artificial nature of the ensemble will be clearly identified.

New Construction

In preference to new construction, every reasonable consideration will be given to using historic structures for park purposes compatible with their preservation and public appreciation. Additions may be made to historic structures when essential to their continued use. Structural additions will harmonize with but be readily distinguishable from the older work and will not intrude upon the historic scene; other additions, such as lightning protection, security equipment, heating, and air conditioning, will meet the requirements for rehabilitation.

New structures, landscape features, and utilities will be constructed in cultural zones only if (1) existing structures and improvements do not meet essential management needs, and (2) new construction is designed and sited to preserve the integrity and character of the area. Unless

associated with an approved restoration or reconstruction, new construction will harmonize with historic features in scale, texture, and continuity but will not imitate them.

(See Management Zoning 2:6, Rehabilitation 5:7, Adaptive Use 9:2)

Use of Historic Structures

Because unused structures are susceptible to neglect and vandalism accelerating their deterioration, compatible uses for historic structures will be found where appropriate.

All uses of historic structures are subject to preservation and public safety requirements. No administrative or public use will be permitted that would threaten the stability or character of a structure, the museum objects within it, or the safety of its users or that would entail alterations significantly compromising its integrity.

(See Planning and Proposal Formulation 5:4, Fire Detection and Suppression 5:13, Physical Access for Disabled Persons 5:14, Adaptive Use 9:2, Energy Management 9:7, Use of Historic Structures 9:16)

Structures Owned or Managed by Others

Historic structures and related historic property owned but not occupied by the National Park Service, or structures and property owned by others in which the National Park Service has a less-than-fee interest or major management or preservation role, will be studied, inventoried, protected, treated, maintained, and used in accordance with NPS policies, guidelines, and standards to the extent permitted by the Service's interest. Whenever feasible and appropriate, interests acquired or retained by the National Park Service will enable application of this policy.

(See Land Protection Plans 3:1, Historic Property Leases 5:15, Leasing of Historic Structures 10:4)

Damaged or Destroyed Structures

Prehistoric and historic structures damaged or destroyed by fire, storm, earthquake, war, or other accident may be preserved as ruins or may be rehabilitated, restored, or reconstructed in accordance with these policies.

(See Shoreline Management 4:20)

Ruins

The stabilization of ruins will be preceded by studies to recover any data that would be affected by stabilization work. Ruins and related features on unexcavated archeological sites will be stabilized only to the extent necessary to preserve research values or to arrest structural deterioration. Archeological ruins to be exhibited will not be excavated until adequate provisions are made for data recovery and stabilization.

Structures will not be deliberately reduced to ruins, nor will missing structures be reconstructed to simulate ruins.

Earthworks

Appropriate vegetation will be maintained when necessary to prevent erosion of prehistoric and historic earthworks, even when the historic condition might have been bare earth. Because earthwork restorations and reconstructions can obliterate surviving remains and are often difficult to maintain, other means of representing and interpreting the original earthworks will receive first consideration.

(See Landscapes and Plants 4:8, Exotic Plants and Animals 4:11)

Outdoor Sculpture

Outdoor statues, monuments, memorials, and plaques will be managed with the same consideration as other historic structures. Because their surface textures and finishes are important to their character and integrity, special care will be exercised in protecting, maintaining, and treating them.

(See Commemorative Works and Plaques 9:17)

Ships

To remain watertight and weather resistant, historic ships may require more extensive and frequent replacement of historic fabric than other structures. Their historic character will nevertheless be retained through the use of appropriate materials and fabrication methods.

MUSEUM OBJECTS AND LIBRARY MATERIALS

The National Park Service will collect, protect, preserve, and use objects, documents, and specimens in the disciplines of archeology, ethnography, history (includes archives), biology, geology, and paleontology to aid understanding among park visitors and to advance knowledge in the humanities and sciences.

Treatment of Museum Objects

Preservation. A museum object will be preserved in its present condition through ongoing preventive conservation if (1) that condition is satisfactory for exhibit or research, or (2) another treatment is warranted but cannot be accomplished until some future time. Interventional measures will be taken when preventive conservation measures are insufficient to reduce deterioration to a tolerable level, or when the object is so fragile as to be endangered under any circumstances. Intervention will be minimized to reduce the possibility of compromising the object's integrity.

Restoration. A museum object may be restored to an earlier appearance if (1) restoration is required for exhibit or research purposes, (2) sufficient data exist to permit restoration with minimal conjecture, and (3) restoration will not modify the object's known original character. Restoration will be accomplished using the techniques and materials that least modify the object and in such manner that the materials will be removable at a later time with minimal adverse effect. Restored areas will be distinguishable from original material and documented. Restoration will take into account the possible importance of preserving signs of wear, damage, former maintenance, and other historical and scientific evidence.

Reproduction. Museum objects needed for interpretive presentations will be reproduced for such use when the originals are unavailable or would be subject to undue deterioration or loss. The National Park Service will observe copyright laws with respect to reproduction.

Acquisition, Management, and Disposition of Museum Objects

Objects and related documentation essential to achieving the purposes and objectives of the parks will be acquired and maintained in accordance with approved scope of collection statements for each park. Archeological objects systematically collected within a park and natural history specimens systematically collected within a park for exhibit or permanent retention will be managed as part of the museum collection. Museum collection management and care will be addressed at all appropriate levels of planning.

Museum objects will be acquired and disposed of in conformance with legal authorizations and current NPS curatorial procedures. The National Park Service will acquire only collections having legal and ethical pedigrees, and each park will maintain complete and current accession records to establish the basis for legal custody of the objects in its possession. Museum catalog records will be prepared by each park to record basic property management data and other documentary information for museum objects. Objects will be inventoried in accordance with current procedures.

The National Park Service may cooperate with qualified institutions in the management of museum objects and, under existing legal authorities, may loan objects to and exchange objects with such institutions for approved purposes. The National Park Service will repatriate museum objects when lawful and when it can be demonstrated by a native American group that the materials are its inalienable communal property.

Interested persons will be permitted to inspect and study NPS museum objects and records in accordance with standards for the preservation and use of collections and subject to the policies regarding confidentiality of resource data.

(See Natural Resource Collections 4:4, Inventories 5:1, Preservation of Data and Collections... 5:3, Consultation and Confidentiality 5:12, Confidentiality of Resource Data 5:13, Fire Detection and Suppression 5:13, Environmental Monitoring and Control 5:14, Nonpersonal Services and Media 7:3, Interpretation and Native Americans 7:5, Curatorial Facilities 9:15)

Historic Furnishings

When the historic furnishings of a structure are present in their original arrangement, they will not be moved or replaced unless required for their protection or preservation, or unless the structure is designated for another use in an approved planning document. A structure may be refurnished in whole or in part if (1) its history is significantly related to a primary park theme, (2) refurnishing is the best way to interpret that history to the public, and (3) sufficient evidence of furniture design and placement exists to refurnish with minimal conjecture. Reproductions will be used only when prototypes exist to ensure the accurate re-creation of historic pieces.

(See Planning Process and Products 2:4, Planning and Proposal Formulation 5:4, Nonpersonal Services and Media 7:3)

Archives and Manuscripts

Archival and manuscript collections are considered museum property and will be managed in ways that preserve them intact for the future while providing current access.

When an archival collection not owned by the National Park Service falls within a park's approved scope of collection statement, every reasonable effort will be made to acquire it if (1) an appropriate storage facility will be provided by the Park Service or a cooperating institution, (2) the facility will be staffed by at least one archivist, curator, librarian, or other person experienced in caring for documentary materials, and (3) the collection will be made available to serious researchers under conditions that maximize both preservation and use and ensure security against theft and vandalism.

If the foregoing acquisition criteria cannot be met, the National Park Service will encourage transfer or donation of the collection to an appropriate local or regional repository or, in the case of a collection important to a park's administrative history, to the National Park Service History Collection at the Harpers Ferry Center.

Placement of historical documents owned by the National Park Service into repositories managed by others will be subject to the procedures concerning loans of museum property and any conditions of access or other restrictions to which the Park Service may have agreed or is bound by law.

Parks will retain notes or copies of records significant to their administrative histories when they periodically ship their official records to federal record centers.

(See Acquisition, Management, and Disposition of Museum Objects 5:10)

Library Materials

Parks and other NPS offices may establish libraries to organize, store, and make available books and other information sources serving their reference and research needs. Library collections will be properly housed and maintained, and adequate space for users will be provided. All books and other recorded informational materials acquired for reference purposes will be organized and accounted for by a standard library cataloging and classification system, whether or not they remain physically in the library. Surplus library materials will be disposed of according to current guidelines.

Books and other library materials used in exhibits or as historic furnishings will be managed as museum objects. In addition, they may be separately cataloged and classified to facilitate access to their informational content.

(See Research 5:2, Acquisition, Management, and Disposition of Museum Objects 5:10)

ETHNOGRAPHIC RESOURCES

Certain contemporary native American and other communities are permitted by law, regulation, or policy to pursue customary religious, subsistence, and other cultural uses of park resources with which they are traditionally associated. Such continuing use is often essential to the survival of family, community, or regional cultural systems, including patterns of belief and economic and religious life. Recognizing that its resource protection mandate affects this human use and cultural context of park resources, the National Park Service will plan and execute programs in ways that safeguard cultural and natural resources while reflecting informed concern for the contemporary peoples and cultures traditionally associated with them.

(See Native American Use 8:8, Subsistence 8:16)

Ethnographic Research and Inventories

To ensure that NPS plans and actions reflect contemporary knowledge about the cultural context of sites, structures, certain natural areas, and other ethnographic resources, the National Park Service will conduct appropriate cultural anthropological research in cooperation with park-associated groups. The purposes of this research will be to meet management needs for information about such groups; to develop inventories of traditional ethnographic resources associated with them; to determine the effects of their traditional ceremonial and consumptive uses of park resources; to evaluate the factors guiding their traditional systems for managing natural resources and creating cultural properties; to define their traditional and contemporary relationships to these resources; and to assess the effects of NPS activities on these groups. Research findings will be used to support planning, resource management decisions, and activities; to develop interpretive programs accurately reflecting native American and other cultures; and to facilitate consultation with and meet management responsibilities to park-associated communities.

(See Park Planning Process and Products 2:4, Park Planning in a Regional Context 2:9, Inventories 5:1, Research 5:2, Interpretation and Native Americans 7:5, Native American Use 8:8)

Consultation and Confidentiality

The fundamental relationships that often exist between park resources and the integrity of contemporary native American and other cultures necessitate that the National Park Service consult with affected communities before reaching decisions about the treatment of traditionally associated resources. The identities of community consultants and information about sacred and other culturally sensitive places and practices will be kept confidential when research agreements or other circumstances warrant. The research use of community consultants or respondents will be subject to their informed consent.

(See Research 5:2, Confidentiality of Research Data 5:13)

SUBMERGED CULTURAL RESOURCES

The National Park Service will identify, evaluate, register, monitor, and protect the submerged cultural resources in its custody. Each park with submerged cultural resources will develop a program to protect them and to provide for their interpretation to the public.

Submerged cultural resources will be left in place unless removal of artifacts or intervention into fabric is compellingly justified by overriding protection, research, or interpretive requirements. No submerged cultural resource will be removed if its preservation would be adversely affected or unless provision has been made for its appropriate conservation and curation. All such resources collected from park waters will be managed within NPS museum collections. The National Park Service will not permit treasure hunting or salvage activities at or around shipwrecks or other submerged resources.

Programs will be conducted to enhance public understanding of submerged cultural resources. Parks may provide recreational diving access to submerged resources not susceptible to damage or the removal of artifacts from such access.

The National Park Service will take care to ensure that activities by other agencies in coastal areas or along major rivers do not inadvertently impact submerged park cultural resources.

The National Park Service will honor the sovereignty of other nations over wrecks of their commissioned vessels and will work with their governments through the U.S. Department of State in dealing with such shipwrecks.

(See Chapter 7: Interpretation and Education; see also Museum Objects and Library Materials 5:9, Recreational Activities 8:2)

BURIAL SITES AND CEMETERIES

Historic and prehistoric burial areas, whether or not formally plotted and enclosed as cemeteries, will be identified and protected. They will not be disturbed or archeologically investigated unless threatened with destruction by park development, operational activities, or natural forces.

The National Park Service will consult with native Americans and other individuals and groups linked by ties of kinship or culture to ethnically identifiable human remains when such remains may be disturbed or are encountered on park lands. Their preference for the treatment or disposition of such remains will be followed insofar as feasible. Decisions will be based on full consideration of alternatives, including project redesign to avoid disturbance, removal and reburial of remains with or without recordation or study, and removal of remains for study and retention in a museum collection. Reinterment at the same park may be permitted.

(See Interpretation and Native Americans 7:5, Cemeteries and Burials 8:16)

SECURITY AND PROTECTIVE MEASURES

The National Park Service will employ the most effective concepts, techniques, and equipment to protect cultural resources against theft, fire, vandalism, environmental impacts, and other threats without compromising their integrity or unduly limiting their appreciation by the public.

Confidentiality of Resource Data

Information regarding the location, nature, and cultural context of archeological, historic, and ethnographic resources may be exempted from public disclosure. Documentation is required for decisions to disseminate such information or to withhold it if it has been determined that dissemination will have substantial adverse effects on the resources.

(See Research 5:2, Acquisition, Management, and Disposition of Museum Objects 5:10, Consultation and Confidentiality 5:12)

Fire Detection and Suppression

Measures to protect cultural resources from fire will be developed as part of a park's fire management planning process, and prudent action will be taken to prevent harm to cultural resources by either fire or fire-suppression activities.

In the preservation of historic structures, every attempt will be made to comply with servicewide standard building and fire codes. When these cannot be met without significantly impairing a structure's integrity and character, the management and use of the structure, rather than the structure itself, will be modified to minimize the potential hazards.

When warranted by the significance of a historic structure or of the museum objects in a nonhistoric structure, adequate fire detection, warning, and suppression systems will be installed. Fire-fighting personnel will be advised of any peculiarities or dangers inherent in a structure and any objects to be given priority for protection or rescue. Park personnel will receive training in fire prevention and suppression with hand-held extinguishers at historic structures and museums, and designated personnel will be trained to respond to all emergencies involving museum collections.

Smoking will not be permitted in spaces housing museum collections or in historic structures other than those adapted for modern residential and administrative uses.

(See Structural Fire Protection and Suppression 9:7)

Environmental Monitoring and Control

When necessary for the preservation of a historic structure or a museum collection, appropriate measures will be taken to control relative humidity, temperature, light, and air quality. When museum objects are housed in a historic structure, an evaluation of the needs of both the collection and the structure will be made before introducing environmental control measures. All areas housing museum objects will be continuously monitored to determine whether appropriate levels of relative humidity, temperature, and light are being maintained.

(See Air Quality 4:17)

Pest Management

The National Park Service will follow the integrated pest management approach in addressing pest problems related to cultural resources. All feasible nonchemical methods will be exhausted before resorting to the use of chemicals. Any use of pesticides for cultural resources will conform to the NPS pesticide use policy.

(See Pests 4:13)

Emergency Management

The emergency operations plan for each park with cultural resources will address their protection or rescue in the event of an emergency or disaster.

(See Emergency Preparedness and Emergency Operations 8:6)

PHYSICAL ACCESS FOR DISABLED PERSONS

The National Park Service will provide the highest feasible level of physical access for disabled persons to historic properties, consistent with the preservation of the properties' significant historical attributes. Access modifications for disabled persons will be designed and installed to least affect the features of a property that contribute to its significance. Some impairment of some features will be accepted in providing access. If it is determined that modification of particular features would destroy a property's significance, however, such modifications will not be made.

(See Interpretation for Special Populations 7:4, Accessibility for Disabled Persons 8:5, Accessibility for Disabled Persons 9:3, Accessibility for Disabled Persons 10:6)

HISTORIC PROPERTY LEASES

In accordance with section 111 of the National Historic Preservation Act and its implementing regulations (36 CFR 18), the National Park Service may lease a park historic property listed in or eligible for the National Register of Historic Places if the lease will ensure its preservation. The Park Service will offer a property for lease if the proposed use will meet this requirement and will not unduly limit public appreciation of the property, interfere with visitor use and enjoyment of the park, or preclude use of the property for park administration, employee housing, or other management purposes judged more appropriate or cost-effective.

Each lease will be competitively offered. The government will receive at least fair market rental value based on an appraisal of the property, adjusted for investments required of the lessee. The term of the lease will be the shortest time needed for the proposed use, taking into account required lessee investments, common practice for the type of lease, possible future alternatives for the property, and other relevant factors. No lease will exceed 99 years. If a lease requires or allows the lessee to maintain, repair, rehabilitate, restore, or build upon the property, it will require the work to be done in accordance with applicable NPS policies, guidelines, and standards. Leasing of historic structures to provide visitor facilities and services is also subject to all applicable laws, policies, and guidelines related to concession operations.

(See Leasing of Historic Structures 10:4)

ROLES OF VOLUNTEERS AND PARAPROFESSIONALS

Volunteers and paraprofessionals assisting with cultural resource studies and treatments will be directly supervised by qualified cultural resource professionals of the appropriate disciplines, and their work will conform to applicable NPS policies, guidelines, and standards. They will receive documented training in the technical aspects of their work.

(See Volunteers in Parks 7:4)

6 Wilderness Preservation and Management

6 Wilderness Preservation and Management

The National Park Service will manage wilderness areas for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness. Management will include the protection of these areas, the preservation of their wilderness character, and the gathering and dissemination of information regarding their use and enjoyment as wilderness. Public purposes of wilderness will include recreation, scenic preservation, scientific study, education, conservation, and historical use.

The NPS wilderness management policies are based on statutory provisions of the 1916 NPS organic act (16 USC 1 et seq.), the 1964 Wilderness Act (16 USC 1131 et seq.), and legislation establishing individual units of the national park system.

Although these policies are intended to establish consistent servicewide direction for the preservation, management, and use of wilderness, certain policies may be superseded by statutory provisions that apply to individual wilderness areas, by rights reserved by former landowners, and in Alaska, by applicable provisions of the Alaska National Interest Lands Conservation Act (ANILCA, 16 USC 3101 et seq.).

The following characteristics are used in the Wilderness Act to define and describe a wilderness area. Wilderness is an area

where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain

of undeveloped federal land retaining its primeval character and influence, without permanent improvements or human habitation

which generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable

which is protected and managed so as to preserve its natural conditions

which has outstanding opportunities for solitude or a primitive and unconfined type of recreation

which has at least five thousand acres of land or is of sufficient size to make practicable its preservation and use in an unimpaired condition

which may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value

These attributes serve both as standards for studying areas and evaluating their suitability for inclusion in the national wilderness preservation system and as objectives to guide NPS actions pertaining to the preservation and use of wilderness areas.

WILDERNESS REVIEWS

The National Park Service will continue to review areas that qualify for wilderness study, consistent with provisions of the Wilderness Act and subsequent legislation directing that wilderness studies be made.

Wilderness studies will be supported by appropriate documentation of compliance with the National Environmental Policy Act (42 USC 4371 et seq.) and the National Historic Preservation Act (16 USC 470 et seq.).

(See Park Planning Process and Products 2:4)

Criteria for Recommended Wilderness

Lands and waters found to possess the characteristics and values of wilderness, as defined in the Wilderness Act, will be studied for recommendation to Congress for wilderness designation.

Lands that have been logged, farmed, grazed, or otherwise utilized in ways not involving extensive development or alteration of the landscape will be considered for wilderness if at the time of study the effects of these activities are substantially unnoticeable or their wilderness character could be restored through appropriate management actions.

An area will not be excluded from a wilderness recommendation solely because established or proposed management practices require the use of tools, equipment, or structures if those practices are necessary for the health and safety of wilderness travelers or protection of the wilderness area.

Lands will not be excluded from a wilderness recommendation solely because of prior rights or privileges, such as grazing and stock driveways, provided these operations do not involve the routine use of motorized or mechanical equipment and do not involve development and structures to such an extent that the human imprint is substantially noticeable.

Lands subject to mineral exploration and development should be recommended for wilderness only if it is likely that mineral rights will be relinquished, acquired, exchanged, or otherwise eliminated in the foreseeable future.

Lands containing aboveground utility lines will not be recommended for wilderness. Areas containing underground utility lines may be included if the area otherwise qualifies as wilderness and the maintenance of the utility line does not require the routine use of mechanized and motorized equipment. No new utility lines may be installed in wilderness, and existing utility lines may not be extended or enlarged.

Historic features that are primary attractions for park visitors will not be recommended for wilderness. However, an area that attracts visitors primarily for the enjoyment of solitude and unconfined recreation in a primitive setting may also contain historic features and still be included in wilderness. Typical historic features that may be included are archeological sites, historic trails, travel routes, battle sites, and minor structures. Historic trails may serve and be maintained as part of the wilderness trail system. However, if the planned scope and standard of maintenance would

result in the imprint of man's work being substantially noticeable, the trail or other feature should not be included in wilderness.

(See Management Zoning 2:7, Land Protection Plans 3:1, Mineral Development 6:10, Mineral Development 8:12, Grazing 8:14, Trails and Walks 9:9)

Potential Wilderness

A wilderness review may identify lands that are surrounded by or adjacent to lands proposed for wilderness designation but that do not themselves qualify for immediate designation due to temporary incompatible conditions. The legislative proposal may recommend these lands for future inclusion in wilderness when the incompatible condition has been removed. If so authorized by Congress, these potential wilderness areas will become designated wilderness upon the Secretary's determination, published in the *Federal Register*, that they have met the qualifications for designation.

(See General Policy 6:3, Mineral Development 6:10)

WILDERNESS MANAGEMENT

General Policy

For the purposes of these policies, the term "wilderness" includes the categories of designated wilderness, potential wilderness, and recommended/study wilderness, and these policies apply regardless of category. Designated wilderness is wilderness that has been established by Congress; potential wilderness is wilderness that has been authorized by Congress but not yet established due to temporary incompatible conditions; recommended/study wilderness is an area that has been recommended to Congress, or is being studied for recommendation, for establishment as wilderness. Caves with all entrances in wilderness will be managed as wilderness.

Wherever a wilderness area is designated within a park, the preservation of wilderness character and resources becomes an additional statutory purpose of the park. Within a designated wilderness area, the preservation of wilderness character and resources while providing for appropriate use is the primary management responsibility (other than activities related to the saving of human life). Activities to achieve all other statutory purposes of an area designated as wilderness will be carried out in accordance with applicable provisions of the Wilderness Act so as to preserve wilderness resources and character. The establishment of wilderness within a park will in no manner lower the standards evolved for the use and preservation of that area under other statutes.

The National Park Service will manage areas of potential wilderness as wilderness, to the extent that existing nonconforming uses will allow, and will seek to eliminate the temporary conditions that preclude wilderness designation.

The Park Service will take no action that would diminish the wilderness suitability of an area recommended for wilderness study or for wilderness designation until the legislative process has been completed. Until that process has been completed, management decisions pertaining to recommended wilderness and wilderness study areas will be made in expectation of eventual wilderness designation.

All categories of wilderness lands will be classified as natural zones. A wilderness subzone may be used if such a designation will facilitate or support planning activities or management actions.

The National Park Service will seek to achieve consistency in wilderness management objectives, techniques, and practices, on both a servicewide and an interagency basis. The Service will seek to maintain effective intra-agency and interagency communications and will encourage, sponsor, and participate in intra-agency and interagency workshops and seminars designed to promote the sharing of ideas, concerns, and techniques related to wilderness management.

(See Management Zoning 2:7, Land Protection Plans 3:1, Potential Wilderness 6:3)

Responsibility

NPS responsibility for carrying out wilderness preservation mandates will be shared by the Director, regional directors, and superintendents of parks with designated, potential, or recommended/study wilderness. Interagency cooperation and coordination and training responsibilities will also be carried out at the Washington, region, and park levels. Wilderness management coordinators will be assigned at each of these administrative levels to carry out these responsibilities effectively and to facilitate efforts to seek servicewide and interagency consistency in wilderness management techniques.

Wilderness Management Plan

The superintendent of each park containing wilderness will develop and maintain a wilderness management plan to guide the preservation, management, and use of that wilderness. This plan may be developed as a separate document or as an action component of another appropriate management plan, such as the general management plan or backcountry management plan, and it will be supported by appropriate documentation of compliance with the National Environmental Policy Act and the National Historic Preservation Act. The plan will be developed with public involvement and will contain specific, measurable management objectives that address the preservation of wilderness-dependent cultural and natural resources and values in order to achieve the public purposes specified by the Wilderness Act and other appropriate legislation.

(See Park Planning Process and Products 2:4)

Management Techniques

The Wilderness Act generally prohibits motorized equipment or mechanized transport in designated wilderness areas; however, it allows them "as necessary to meet minimum requirements for the administration of the area for the purpose of this Act." In protecting wilderness character and resources and in managing wilderness use in accordance with the Wilderness Act, the National Park Service will adhere closely to the "minimum tool" concept. Superintendents, in accordance with the wilderness management plan, will select the minimum tool or administrative practice necessary to successfully and safely accomplish the management objective with the least adverse impact on wilderness character and resources. All decisions pertaining to administrative practices and use of equipment in wilderness will be based on this concept. Potential disruption of wilderness character and resources and applicable safety concerns will be considered before, and given significantly more weight than, economic efficiency. If some compromise of wilderness resources or character is unavoidable, only those actions that have localized, short-term adverse impacts will be acceptable.

Administrative use of motorized equipment or mechanical transport, including motorboats and aircraft, will be authorized in accordance with the park's wilderness management plan only (1) if determined by the superintendent to be the minimum tool needed by management to achieve the purposes of the area, or (2) in emergency situations involving human health or safety or the

protection of wilderness values. Such management activities will be conducted in accordance with all applicable regulations, policies, and guidelines and, where practicable, will be scheduled to avoid creating adverse resource impacts or conflicts with visitor use.

The wilderness management plan will establish indicators, standards, conditions, and thresholds above which management actions will be taken to reduce impacts. The National Park Service will monitor resources and document use. Where resource impacts or demands for use exceed established thresholds or capacities, superintendents may limit or redirect use. Physical alterations, public education, general regulations, special regulations, and permit systems, as well as local restrictions, public use limits, closures, and designations implemented under the discretionary authority of the superintendent (36 CFR 1.5), may all be used in managing and protecting wilderness.

(See Monitoring of Wilderness Resources 6:5, Management of Recreational Use 8:2, Emergency Preparedness and Emergency Operations 8:6, Search and Rescue 8:6, Aircraft Use 8:8)

Monitoring of Wilderness Resources

In every park containing wilderness, the conditions and long-term trends of wilderness resources will be monitored to identify needs for, and results of, management actions. Given that wilderness is described in the Wilderness Act as an area untrammeled by man, where outstanding opportunities for solitude and unconfined recreation exist, every wilderness monitoring program will not only assess physical and biological resources, but also identify what impacts people have on resources and values and what impacts they have on other people using the wilderness. These monitoring programs will also be designed to identify whether or not wilderness resources are being impacted by human activities conducted outside the wilderness, and if so, to determine the nature, magnitudes, and probable sources of those impacts.

(See Science and Research 4:2, Inventory and Monitoring 4:4, Research 6:6)

Management Facilities

Part of the definition of wilderness as provided by the Wilderness Act is undeveloped federal land retaining its primeval character and influence, without permanent improvements. Accordingly, authorizations of NPS administrative facilities located in wilderness will be limited to the types and minimum number essential to meet the minimum requirements for the administration of the wilderness area. A decision to construct, maintain, or remove an administrative facility will be based primarily on whether such a facility is required to preserve wilderness character or values or is essential to ensure public safety, not on considerations of administrative convenience, economy of effort, or convenience to the public. Maintenance or removal of historic structures will additionally comply with cultural resource protection policies.

Ranger stations, patrol cabins, associated storage or support structures, drift fences, and facilities supporting trail stock operations may be placed in wilderness only if they are necessary to carry out wilderness management objectives and provisions of the park's wilderness management plan. Facilities such as fire lookouts, radio antennas, and radio repeater sites may be placed in wilderness only if they constitute the minimum facility required to carry out essential administrative functions and are specifically authorized by the regional director.

Permanent roads will not be built or retained in wilderness. Temporary vehicular access may be permitted only to meet the minimum requirements of emergency situations. Where abandoned roads have been included within wilderness, they will be used as trails or restored to natural conditions.

Unpaved trails and trail bridges may be provided where they are essential for resource protection or where significant safety hazards exist during the normal period of use.

No permanent heliports, helipads, or airstrips will be allowed in wilderness. Temporary landing facilities may be used to meet the minimum requirements of emergency situations. Site improvements determined to be essential for safety reasons during individual emergency situations may be authorized, but the site will be restored to natural conditions after the emergency has ended. Natural openings may be used for authorized nonemergency aircraft landings, but no site markings or improvements of any kind may be installed to support nonemergency use.

The construction or reconstruction of shelters for public use generally will not be allowed, since wilderness users should be self-supporting in terms of shelter. An existing shelter may be maintained only if the facility is necessary to achieve wilderness management objectives or cultural resource protection objectives. The construction, use, and occupancy of cabins and other structures in wilderness areas in Alaska are governed by applicable provisions of ANILCA and by NPS regulations in 36 CFR 13, and they may be permitted under conditions prescribed in the park's wilderness management plan.

Although the development of facilities to serve users will generally be avoided, campsites may be designated when essential for resource protection or enhancement of opportunities for solitude. In keeping with the terms of the park's wilderness management plan, campsite facilities may include a site marker, a fire ring, a tent site, a food-storage device, and a toilet, but only if determined by the superintendent to be the minimum facilities necessary for the health and safety of wilderness users or for the protection of wilderness resources and values. Toilets will be placed only in locations where their presence and use will resolve health and sanitation problems or prevent serious resource damage and where reducing or dispersing visitor use has failed to alleviate the problems or is impractical. Picnic tables will not be placed in wilderness.

(See Water Quality and Quantity 4:15, Planning and Proposal Formulation 5:4, Treatment of Cultural Resources 5:5, Backcountry Use 8:3, Emergency Preparedness and Emergency Operations 8:6, Aircraft Use 8:8, Access and Circulation Systems 9:7, Campgrounds 9:13, Comfort Stations 9:14)

Signs

Signs detract from the wilderness character of an area and make the imprint of man and management more noticeable. Only those signs necessary to protect wilderness resources or for public safety, such as signs identifying trails and distances, will be permitted. Where signs are used, they should be compatible with their surroundings and be the minimum size possible.

(See Signs 9:11)

Research

The statutory purposes of wilderness include scientific and educational use, and the National Park Service will fully support the value of wilderness areas as natural outdoor laboratories. A research project may be conducted in wilderness if it meets all of the following requirements:

The research activities are otherwise allowable under federal laws and regulations.

There is no alternative to conducting the research in a wilderness area.

The project will not adversely affect physical or biological resources, ecosystem processes, or aesthetic values over an area or duration greater than necessary to meet research objectives.

The project will not interfere with recreational, scenic, or conservation purposes of the wilderness over a broad area or long duration.

Hydrologic, hydrometeorologic, seismographic, and other research and monitoring devices may be installed and operated in wilderness only upon a finding that (1) the desired information is essential and cannot be obtained from a location outside of wilderness, and (2) the proposed device is the minimum tool necessary to accomplish the objective safely and successfully. Devices located in wilderness will be removed when determined to be no longer essential. All research activities and the installation, servicing, and monitoring of research devices will be accomplished in compliance with NPS wilderness management policies and procedures contained in the park's wilderness management plan. Non-NPS research activities that might disturb resources or visitors or require the waiver of any regulation may be allowed only pursuant to the terms and conditions of a permit.

(See Science and Research 4:2, Inventory and Monitoring 4:4, Weather and Climate 4:19, Research 5:2, Ethnographic Research and Inventories 5:12, Research and Collection Activities 8:15)

Fire Management

[Note: Fire management policies are under review by the Interagency Fire Management Policy Review Team and will be modified as necessary pursuant to their recommendations.]

Fire management activities conducted in wilderness areas will conform to the basic purposes of wilderness. The park's fire management and wilderness management plans together will identify the natural and historic roles of fire in the wilderness and will provide a prescription for response, if any, to natural and human-caused wildfires. If a prescribed fire program is implemented, these plans will also include the prescriptions and procedures under which the program will be conducted.

Actions taken to suppress wildfires will use the minimum tool concept and will be conducted in such a way as to protect natural and cultural features and to minimize the lasting impacts of the suppression actions and the fires themselves. Information on developing a fire management program is contained in the *Fire Management Guideline* (NPS-18).

(See Fire Management 4:14, Fire Detection and Suppression 5:13)

Cultural Resources

Cultural features such as archeological sites, historic trails or routes, or structures that have been included within wilderness will be protected and maintained using methods that are consistent with the preservation of wilderness character and values and cultural resource protection requirements. Burial plots or commemorative features, such as plaques or memorials, that have been included in wilderness may be retained, but no new additions may be made unless authorized by federal statute, existing reservations, or retained rights. Native American religious areas and other ethnographic resources will be inventoried and protected. Native Americans will be permitted nonmotorized access within wilderness for sacred or religious purposes in accordance with criteria for special park uses.

(See Planning and Proposal Formulation 5:4, Treatment of Cultural Resources 5:5, Ethnographic Resources 5:11, Native American Use 8:8, Special Park Uses 8:10, Cemeteries and Burials 8:16, Commemorative Works and Plaques 9:17)

USE OF WILDERNESS

The National Park Service will encourage and facilitate those uses of wilderness that require the wilderness environment and do not degrade wilderness resources and character. NPS wilderness management actions will be directed toward providing opportunities for primitive and unconfined types of recreation by park visitors. Appropriate restrictions may be imposed on any authorized activity in the interest of preserving wilderness character and resources or to ensure public safety. Visitors will be encouraged and in some situations may be required through the regulatory process to comply with the concept of no-trace or minimum-impact wilderness use for both themselves and their livestock.

(See Management of Recreational Use 8:2)

General Public Use

Park visitors must accept wilderness largely on its own terms, without modern facilities provided for their comfort or convenience. Users must also accept certain risks, including possible dangers arising from wildlife, weather conditions, physical features, and other natural phenomena, that are inherent in the various elements and conditions that comprise a wilderness experience and primitive methods of travel. The National Park Service will not eliminate or unreasonably control risks that are normally associated with wilderness, but it will strive to provide users with general information concerning possible risks, recommended precautions, minimum-impact use ethics, and applicable restrictions and regulations.

Wilderness users will be required to carry out all refuse as defined in 36 CFR 1.4.

As a general rule, public use of motorized equipment or any form of mechanical transport will be prohibited in wilderness. Operating a motor vehicle or possessing a bicycle in designated wilderness outside Alaska is prohibited by NPS regulations in 36 CFR 4. However, the Wilderness Act authorizes continuation of motorboat and aircraft use under certain circumstances where those activities were established prior to wilderness designation. The National Park Service will limit authorizations for the continued use of any motorized equipment in wilderness to situations where such use has been specifically authorized by Congress and determined by Congress or the Park Service to be compatible with the purpose, character, and resource values of the particular wilderness area involved. The use of motorized equipment by the public in wilderness areas in Alaska is governed by applicable provisions of ANILCA and NPS regulations in 36 CFR 13. The specific conditions under which motorized equipment may be used by the public will be outlined in each park's wilderness management plan.

The use of hand-propelled watercraft may be allowed in wilderness. However, the watercraft and all other supplies and equipment must be removed at the end of each wilderness trip.

Mobility-impaired persons may use wheelchairs (as defined in 36 CFR 1.4) in wilderness.

(See Accessibility for Disabled Persons 8:5, Accessibility for Disabled Persons 9:3)

Commercial Services

Wilderness-oriented commercial services that contribute to achieving public enjoyment of wilderness values or that provide opportunities for primitive and unconfined types of recreation may be authorized if they meet the "necessary and appropriate" tests of the Concessions Policy and Wilderness acts and if they are consistent with the wilderness management objectives contained in

the park's wilderness management plan. Activities such as guide services for outfitted horseback, hiking, mountain climbing, or river trips and similar activities may be appropriate and may be authorized if conducted under terms and conditions outlined in the park's wilderness management plan and in documents authorizing concessions or commercial use. The only structures or facilities to support such commercial services that will be allowed in wilderness will be temporary shelters, such as tents, which will be removed from the wilderness after each trip.

(See Commercial Services 8:3, Planning Criteria for Park Concessions 10:1, Commercial Use License 10:3, Rates Charged to Visitors 10:6, Interpretation 10:9)

Special Events

The National Park Service will not sponsor or issue permits for special events to be conducted in wilderness if those events might be inconsistent with wilderness resources and character.

(See Special Events 8:10)

Grazing and Livestock Driveways

Commercial grazing or driving of livestock in park wilderness will be allowed only when authorized by Congress. Where these activities are so authorized, they will be managed under conditions outlined in the wilderness management plan to protect wilderness resources and values. The use of motorized or mechanical equipment will not be allowed. The construction of facilities incompatible with wilderness values or management objectives will be prohibited.

Noncommercial grazing of trail stock incidental to recreational use of wilderness may be authorized in accordance with NPS regulations and conditions outlined in the wilderness management plan that ensure protection of wilderness resources and character. Superintendents will be responsible for monitoring livestock use of wilderness to the same degree as human use and may use the same management tools and techniques to manage livestock use that are available for managing other wilderness uses.

(See Grazing 8:14)

Rights-of-Way

Existing rights-of-way that have been included in wilderness should be phased out where practicable. Where it is not practicable, rights-of-way subject to NPS administrative control may be renewed under conditions outlined in the park's wilderness management plan that protect wilderness character and resources and limit the use of motorized or mechanical equipment. The National Park Service will not issue any new rights-of-way or widen or extend any existing rights-of-way in wilderness.

Rights-of-way and access procedures affecting wilderness areas in Alaska are governed by applicable provisions of ANILCA and regulations in 43 CFR 36 and 36 CFR 13.

(See Land Protection Plans 3:1, Rights-of-Way 8:11)

Mineral Development

The National Park Service will seek to eliminate valid mining claims and nonfederal mineral interests in wilderness through acquisition. In parks where Congress has authorized the leasing of federal minerals, the Park Service will take appropriate actions to preclude the leasing of lands or minerals that are included within wilderness. Lands included within wilderness will be listed as excepted areas under applicable regulations in 43 CFR 3100 and 3500.

(See Land Protection Plans 3:1, Mineral Development 8:12)

PUBLIC EDUCATION

The National Park Service will develop and maintain an effective public education program designed to promote and perpetuate public awareness of and appreciation for wilderness character, resources, and ethics without stimulating an unacceptable demand for use. Efforts will focus on the fostering of an understanding of the concept of wilderness that includes respect for the resource, willingness to exercise self-restraint in demanding access to it, and an ability to adhere to appropriate, minimum-impact techniques when using it.

(See Interpretive Programs 7:1, Interpretive Services 7:2)

7 Interpretation and Education

7 Interpretation and Education

The National Park Service will conduct interpretive programs in all parks to instill an understanding and appreciation of the value of parks and their resources; to develop public support for preserving park resources; to provide the information necessary to ensure the successful adaptation of visitors to park environments; and to encourage and facilitate appropriate, safe, minimum-impact use of park resources.

GENERAL

Interpretation in the national park system is an educational activity that aims to reveal meanings and relationships through the use of original objects, by firsthand experience, and by illustrative media. The National Park Service must maintain the organizational capability to deliver high-quality interpretive services. Quality interpretation will be the shared responsibility of all levels of NPS staff – from the Washington and regional directorates, through park superintendents and chief park interpreters, to field interpretive specialists – and will be achieved through research, planning, technical excellence in implementation, and constant reevaluation.

INTERPRETIVE PROGRAMS

Interpretation is that unique function of NPS operations that interacts among the resource, the visitor, the community, and park management. Each park's interpretive program will be built around park-specific themes based on the park's legislative history, the park's resources, and NPS management goals. These programs will seek to provide each visitor an interpretive experience that is enjoyable and inspirational within the context of the park's tangible and intangible resources. Interpretation will also reach out to park neighbors and community decision makers to stimulate discussions about the park and its values in a local and regional context. In addition, interpretive services will help park employees better understand the park and its resources.

A balanced interpretive program will address the following elements:

Information and Orientation: Provide all park users with easy access to the information they need to have a safe and enjoyable park experience.

Understanding and Appreciation: Provide visitors with a variety of services and information to foster a deeper appreciation and understanding of the resources and values of a specific park as well as of its regional context and the national park system as a whole.

Protection: Provide visitors with a variety of opportunities to interact safely with and enjoy the resources of a park, while protecting those resources from overuse, unintentional damage, vandalism, and theft.

Participation and Skill Development: Provide a variety of services and opportunities to aid and motivate visitors to develop park-oriented recreational skills when appropriate.

Dialogue: Provide a means for the general public, park neighbors, and park managers to communicate their thoughts and desires to each other.

Education: Provide interested users and educational groups with the information necessary to develop a thorough understanding of a park's resources, its regional context, and the entire national park system's significance and values.

(See Air Quality 4:17, Public Education 6:10, Energy Management 9:7, Visitor Facilities 9:11)

INTERPRETIVE PLANS AND DOCUMENTS

Interpretive services and facilities will be developed and operated in accordance with each park's enabling legislation, statement for management, general management plan, interpretive prospectus, statement for interpretation, resource management plan, and other appropriate documents. Standards for ensuring an acceptable quality of interpretive programs are prescribed in the *Interpretation and Visitor Services Guideline* (NPS-6).

Interpretation will be based on research about the history, science, and condition of the resources, and on research about the needs, expectations, and behavior of visitors.

(See Park Planning Process and Products 2:4)

INTERPRETIVE SERVICES

The management and interpretive plans and documents for each park will establish a balance of interpretive services based upon criteria such as level of visitor use, the nature of the park resources, park management goals, and related factors. Various interpretive methods, including personal services, publications, exhibits, and audiovisual presentations, will be used to provide visitors with relevant information before their visits and to ensure quality experiences once they are in parks. Each park will identify a basic level of interpretation that is core to the mission of the park. Basic-level interpretive services will be funded before nonbasic services.

(See Collecting Natural Products 8:15)

Personal Services

Personal interpretive services will be the cornerstone of each park's interpretive program, since they are often the most effective means of stimulating visitor understanding and appreciation of park values, providing information and orientation, and helping to ensure resource protection and visitor safety. Personal interpretive services are powerful forms of interpretation because of their flexibility and person-to-person interaction. A long tradition of personal interpretive services exists in the national park system, as represented by visitor centers with staffed orientation/information desks, staffed exhibits, staffed museums, and staffed audiovisual programs; guided walks, talks, and tours; fixed-point interpretation; and campfire programs.

Visitor enjoyment and understanding of park resources may be enhanced by living history programs, living farms, period demonstrations, interpretive demonstrations, programs utilizing the creative and performing arts, arts and crafts, explanations and demonstrations of recreational and leisure-time

skills, and other innovative activities. Such interpretive presentations will be appropriate when (1) they directly relate to an important site theme or resource, (2) they are identified in an approved plan, and (3) they complement the more traditional methods of accomplishing interpretive objectives. They will not be allowed to replace traditional interpretive programs or to overshadow the resource being interpreted. In most parks, such enhanced presentations will not be considered as the basic level of interpretation.

(See Special Events 8:10)

Historic Black-Powder Weapons Firing Demonstrations. All uses of historic black-powder weapons in parks will strictly comply with the official "Standards for Historic Black Powder Weapons Firing in Areas Administered by the NPS" as well as the *Interpretation and Visitor Services Guideline*, and they will follow the approved NPS manuals for the particular weapons being used.

Reenactments. Battle reenactments and demonstrations of battle tactics that involve cross fire between opposing lines, the taking of casualties, or any other form of simulated warfare will be prohibited in all parks. Battle reenactments generate an atmosphere inconsistent with the memorial qualities of the battlefields and other military sites placed in NPS trust.

Nonpersonal Services and Media

When personal services are not the best alternative for providing visitor information, orientation, or understanding of park resources, other means of interpretation will be considered appropriate. These may include park brochures and other publications, exhibits, audiovisual presentations, and radio information systems. Even when personal services are used, these additional means of interpretation should be used to augment and enhance visitor enjoyment and appreciation of park resources. Nonpersonal interpretive services offer strong advantages in that they maintain a consistent quality of presentation over time and they can reach large audiences.

The Harpers Ferry Center will be responsible for interpretive media design and production for major visitor center exhibits, audiovisual presentations, visitor center modifications, wayside exhibits, NPS publications, historic furnishings and artifacts, paintings, and pieces of sculpture for permanent display in parks. Such projects will be subject to official review processes regardless of the funding source, the location of the work, or the contractor. The Harpers Ferry Center will review plans or proposals to be accomplished by parks and regions, including privately funded projects, for appropriateness and quality of design and execution. Such reviews will also cover proposals from concessioners, cooperating associations, and others. Projects excluded from the review process will include site bulletins, bulletin boards, and other park-initiated small projects.

(See Acquisition, Management, and Disposition of Museum Objects 5:10, Historic Furnishings 5:10, Ethnographic Resources 5:11, Viewing Devices 9:12, Interpretation 10:9, Viewing Devices 10:9)

Outreach/Environmental Education/Heritage Education Services

Outreach services are encouraged and will be used to disseminate park and resource information and interpretation beyond park boundaries. Outreach services will usually be supplementary to in-park interpretive programs, unless a park determines that such services are basic-level interpretation for its particular situation.

Environmental education in the national park system traditionally deals with natural history and natural resources, such as ecosystems or geologic features, and the human activities associated with

them. Heritage education deals with historical and cultural resources, such as cultural landscapes or historic buildings, and the human activities associated with them. Environmental education and heritage education services are encouraged and will provide information and assistance to local school students and teachers, organized groups, and educational institutions that wish to use park resources in their curricula. In all cases, the contents of special environmental education and heritage education programs will be relevant to the park resources.

Interpretation for Special Populations

The National Park Service will seek to ensure, to the greatest extent possible, that disabled people receive the same interpretive opportunities as nondisabled people. Interpretive programs will meet guidelines outlined in the NPS publication *Interpretation for Disabled Visitors in the National Park System.* Efforts will also be made to ensure that interpretive programs, recreational activities, concession-operated and privately sponsored activities, publications, and other informational materials meet the needs of children, senior citizens, international visitors, and the disadvantaged. Foreign-language translations of park publications will be provided in those parks visited by large numbers of foreign visitors.

(See Physical Access for Disabled Persons 5:14, Accessibility for Disabled Persons 8:5, Accessibility for Disabled Persons 9:3, Accessibility for Disabled Persons 10:6)

INTERPRETATION BY OTHERS

In the development and implementation of interpretive programs, superintendents should consider the use of concessioners, cooperating groups, and private individuals to supplement park staff and funds. Such services, however, will not be used as a replacement or substitute for a park's basic interpretive operation. NPS interpretative staff will direct, monitor, and evaluate all interpretive services to ensure quality control and appropriateness.

(See Interpretation 10:9)

Cultural Demonstrators

Cultural demonstrators who are not NPS employees may be permitted to sell park visitors modern handcrafted items they have made and to keep the proceeds for themselves. When this practice is permitted, all materials used in creating such items must be the private property of the demonstrator, and the products must be related to the park's interpretive themes. The superintendent will authorize this practice through a cooperative agreement, special use permit, concession permit, or other legal contract.

(See Collecting Natural Products 8:15, Merchandise and Handcrafts 10:8)

Volunteers in Parks

Volunteer services may be used in various aspects of park operations under the authority of the Volunteers in Parks Act (16 USC 18g-j). Pursuant to this legislation, volunteers may be recruited without regard to civil service regulations, are covered for tort liability and work-injury compensation, and may be reimbursed for out-of-pocket expenses while participating in the program. Volunteers will be accepted without regard to race, creed, religion, age, sex, color, national origin,

or handicap. Volunteers will not displace NPS employees. The *Volunteers in Parks Guideline* (NPS-7) provides additional guidance for the volunteers program.

(See Roles of Volunteers and Paraprofessionals 5:15)

Cooperating Associations

Cooperating associations will be used wherever possible to facilitate the conservation, education, and interpretive programs of a park, as authorized under 16 USC 17j-2(e). Based on a written cooperative agreement with the National Park Service, cooperating associations may produce and sell interpretive items such as publications, maps, visual aids, handcrafts, and other objects that are directly related to the understanding and interpretation of the park or the national park system. Associations may offer some interpretive services to augment those of the National Park Service. Guidelines for administering cooperating association programs are included in the *Cooperating Associations Policies, Standards, and Guidelines* (NPS-32).

(See Cooperating Associations 10:4)

SPECIAL PROGRAM INTEGRATION

The integration of special programs and servicewide initiatives into NPS interpretive programs must be carefully planned with appropriate levels of staffing, funding, and guidance. Superintendents are encouraged to integrate these special programs and initiatives into park operations as appropriate to the themes and objectives of the park's interpretive program. Cooperative ventures in interpretation between the National Park Service and other federal agencies, states, native American authorities, and international groups or other countries are encouraged when they benefit all partners in the program.

INTERPRETATION AND NATIVE AMERICANS

The National Park Service will actively consult with appropriate native American tribes or groups in the planning, development, and operation of park interpretive programs that relate to the culture and history of a particular tribe or group. Interpretive programs will reflect the best present, accepted ethnographic understanding of native American cultural systems. Cooperative programs will be developed with various tribes and groups to help the Park Service interpret their cultural heritage and to present native American perspectives of their own lifeways and resources, both cultural and natural. Ethnographic or cultural anthropological data and concepts will also be used in interpretive programs as appropriate. The National Park Service will seek to present factual, balanced, and to the extent achievable, value-neutral presentations of both native and nonnative American cultures, heritage, and history.

The National Park Service will not exhibit native American disinterred skeletal or mummified human remains or photographs or replicas of them. There will be no display of grave goods or other objects if native Americans who are culturally associated with them object to such exhibit. Associated native American tribes and groups will be consulted to determine the religious status of any object, the sacred nature of which is suspected but not confirmed, before it is exhibited or before any action is taken.

(See Acquisition, Management, and Disposition of Museum Objects 5:10, Ethnographic Resources 5:11)

8 Use of the Parks

8 Use of the Parks

The National Park Service will promote and regulate the use of parks, and it will provide those services necessary to meet the basic needs of park visitors and to achieve each park's management objectives.

GENERAL

The provision of the NPS organic act directing the Park Service to provide for public enjoyment while leaving resources unimpaired for future generations suggests broad parameters for appropriate use. Legislation and proclamations establishing individual parks may provide more specific direction about park purposes, significant resources, and appropriate uses. Within these parameters the use of parks will be essentially resource based but nonconsumptive of resources. Consumptive uses of park resources, whether renewable or nonrenewable, will be allowed only where specifically authorized by federal law or treaty rights, where subject to other existing rights, or where certain traditional activities, such as fishing or berry picking, are authorized by NPS general regulations.

Where a consumptive use is authorized but not required by law and is being conducted in derogation of the values or purposes for which the park was established, the National Park Service will seek to mitigate the impacts or, if necessary, eliminate the activity. Where a consumptive use is mandated by law but is being conducted in derogation of the values or purposes for which a park was established, the National Park Service will seek to minimize its adverse effects through appropriate management actions. All proposals for park uses will be evaluated in terms of their consistency with all applicable legislation, executive orders, and regulations, as well as their actual and potential effects on park values, purposes, and resources. They will also be reviewed in terms of their total costs and public benefits.

VISITOR USE

To the extent practicable, the National Park Service will encourage people to come to the parks, and to pursue inspirational, educational, and recreational activities related to the resources found in these special environments, as the most desirable means of fulfilling its mandate "to provide for public enjoyment" of the areas it manages. Refer to chapter 7, "Interpretation and Education," for specific policies related to that aspect of visitor use.

Visitors will be given appropriate information to encourage safe and lawful use of the parks and to minimize any resulting adverse impacts on park resources. The National Park Service will manage visitor use and whenever necessary regulate the amount and kind, and the time and place, of visitor activities. Any restrictions will be based on a determination by the superintendent that such measures are consistent with the park's enabling legislation and are needed either to prevent derogation of the values and purposes for which the park was established or to minimize visitor use

conflicts. Where practicable, such restrictions will be based on the results of study or research, including research in the social sciences when appropriate. Any restrictions imposed will be fully explained to the public in accordance with applicable laws and regulations.

(See Basic Management Concepts 4:1, Science and Research 4:2, Research 5:2, Management Techniques 6:4, Research 6:6)

Recreational Activities

The National Park Service will encourage recreational activities that are consistent with applicable legislation, that promote visitor enjoyment of park resources through a direct association or relation to those resources, that are also consistent with the protection of resources, and that are compatible with other visitor uses. Recreational activities that may be allowed include, but are not limited to, boating, camping, bicycling, fishing, hiking, horseback riding and packing, outdoor sports, picnicking, scuba diving, cross-country skiing, caving, mountain and rock climbing, and swimming. Determinations of when and where these activities may be allowed are subject to the provisions of 36 CFR 1-5, 7, and 13, the *Diving Management Guideline* (NPS-4), the *Special Park Use Guideline* (NPS-53), and Executive Order 11644, "Use of Off-Road Vehicles on the Public Lands" (43 USC 4321). General regulations addressing aircraft use, off-road bicycling, hang-gliding, hunting, off-road vehicle use, and snowmobiling require that special regulations be developed before these uses may be authorized in parks. Any recreational activity may be further regulated by restrictions imposed under the superintendent's discretionary authority (36 CFR 1.5) and by special regulation (36 CFR 7 and 13).

Management of Recreational Use. The National Park Service will manage recreational activities and settings so as to protect park resources, provide for public enjoyment, promote public safety, and minimize conflicts with other visitor activities and park uses. Each park will develop and implement visitor use management plans and take management actions, as appropriate, to ensure that recreational uses and activities within the park are consistent with its authorizing legislation or proclamation and are not carried out in derogation of the values and purposes for which the park was established. Depending on local park needs and circumstances, these plans may be prepared as coordinated activity-specific documents (river use plan, backcountry use plan, wilderness management plan, off-road vehicle use plan, winter use plan, etc.), as action plan components of a resource management plan or general management plan, or as a single integrated plan that addresses a broad spectrum of recreational activities. Regardless of the format or complexity, visitor use management plans will contain specific, measurable management objectives related to the activity or activities being addressed.

Appropriate tools for managing recreational activities may include general or special regulations; permit and reservation systems; and local restrictions, public use limits, closures, and designations implemented under the discretionary authority of the superintendent. Any restrictions on recreational use will be limited to the minimum necessary to protect park resources and values and to promote visitor safety and enjoyment. To the extent practicable, public use limits established by the National Park Service will be based on the results of scientific research and other available support data. However, a use or activity may be restricted or prohibited when, in the judgment of the superintendent, its occurrence, continuation, or expansion would result in the derogation of the values or purposes for which the park was established, interfere significantly with the enjoyment of park resources and values by other visitors, or be inconsistent with the park's enabling legislation or proclamation.

The Park Service will seek consistency in recreation management policies and procedures on both a servicewide and interagency basis to the extent practicable. However, because of differences in individual park enabling legislation and resources and differences in the missions of the National Park Service and other federal agencies, an activity that is entirely appropriate when conducted in

one location may be inappropriate if conducted in another. The National Park Service will consider the park's purposes and the effects on park resources and visitors when determining the appropriateness of a specific recreational activity in a specific park. Unless the activity is mandated by statute, the Park Service will not allow a recreational activity in a park or in certain locations within a park if it would involve or result in

inconsistency with the park's enabling legislation or proclamation, or derogation of the values or purposes for which the park was established

unacceptable impacts on visitor enjoyment due to interference or conflict with other visitor use activities

consumptive use of park resources (does not apply to certain traditional activities specifically authorized by NPS general regulations)

unacceptable impacts on park resources or natural processes

unacceptable levels of danger to the welfare or safety of the public, including participants

Recreational activities that are proposed as organized events or that involve commercialization, advertising, or publicity by participants or organizers are special events and are managed in accordance with the criteria and procedures described in the *Special Park Uses Guideline* (NPS-53).

(See Park Planning Process and Products 2:4, Management Techniques 6:4, Commercial Services 8:3, River Use 8:3, Backcountry Use 8:3, Fishing 8:4, Hunting and Trapping 8:4, Off-road Vehicle Use 8:4, Snowmobiles 8:5, Visitor Safety 8:5, Native American Use 8:8, Special Park Uses 8:10, Collecting Natural Products 8:15)

Commercial Services. The National Park Service may permit commercial services that are not in derogation of park purposes or values and that provide recreational opportunities for visitors, contribute to visitor enjoyment of park resources, and support or achieve applicable management objectives. Commercial services will be operated only under concession or commercial use authorizations and are subject to concession laws, policies, and guidelines.

(See Chapter 10: Concessions Management; see also Commercial Services 6:8)

River Use. A river management plan will be developed for each park having significant levels of river use, or the potential for such use. Public use will be managed to prevent unacceptable impacts on aquatic or riverine resources or adverse effects on visitor enjoyment. Each river management plan will include specific procedures for disposing of refuse and human waste.

(See Implementation Plans 2:9, Water Quantity and Quality 4:15, Floodplains and Wetlands 4:16, Grazing 8:14)

Backcountry Use. The National Park Service uses the term "backcountry" to refer to primitive, undeveloped portions of parks. This is not a specific management zone, but refers to a general condition of land that may occur in any appropriate zone or subzone. Backcountry use will be managed to avoid unacceptable impacts on park resources or adverse effects on visitor enjoyment of appropriate recreational experiences. The National Park Service will identify acceptable limits of impacts, monitor backcountry use levels and resource conditions, and take prompt corrective action when unacceptable impacts occur. Management strategies designed to guide the preservation, management, and use of the backcountry and to achieve the park's management objectives will be integrated into the park's backcountry management plan.

The number and types of facilities to support visitor use, including sanitary facilities, will be limited to the minimum necessary to achieve a park's backcountry management objectives and to

provide for the health and safety of park visitors. To avoid the need for sanitary facilities, public use levels will be managed, where practicable, in accordance with the natural system's ability to absorb human waste. Refuse may not be disposed of in backcountry areas, except that combustibles may be burned where authorized. All other refuse will be carried out. The National Park Service will not provide refuse containers in backcountry areas.

(See Water Quantity and Quality 4:15, Management Facilities 6:5, Use of Wilderness 6:8, Solid Waste Management 9:5, Comfort Stations 9:14)

Fishing. Recreational fishing will be allowed in parks where it is authorized by federal law or where it is not specifically prohibited and does not interfere with the functions of natural aquatic ecosystems or riparian zones. Where fishing is allowed, it will be conducted in accordance with applicable federal laws and treaty rights and state laws and regulations. However, the National Park Service may restrict fishing activities whenever necessary to achieve management objectives outlined in a park's resource management plan.

Commercial fishing will be allowed only where specifically authorized by federal law or treaty right.

(See Implementation Plans 2:9, Planning for Natural Resource Management 4:2, Fisheries Management 4:7, Facilities for Water Recreation 9:14)

Hunting and Trapping. Hunting, trapping, or any other method of harvesting wildlife by the public will be allowed only in parks where it is specifically authorized by federal law. Where such an activity is authorized on a discretionary basis under federal law, it may take place only after the National Park Service has determined that the activity will not compromise public safety and enjoyment and that the proposed use is consistent with sound resource management principles. Where authorized as a discretionary activity, hunting or trapping may take place only pursuant to special regulations.

Hunting and trapping, where authorized, will be conducted in accordance with federal law and applicable laws of the state or states where the park is located. However, the National Park Service may establish regulations or closures that are more restrictive than applicable state regulations based upon a finding that such restrictions are necessary for public safety, resource protection, or visitor enjoyment. Before regulations or other restrictions are implemented by the Park Service, representatives of appropriate state and federal agencies will be consulted. Any such regulations or other restrictions will be developed with public involvement.

(See Population Management 4:6, Management of Harvested Species 4:7, Genetic Resources 4:10)

Off-road Vehicle Use. The use of motor vehicles will be limited to park roads and parking areas and to routes and areas designated for off-road motor vehicle use.

The use of off-road motor vehicles on public lands is governed by Executive Order 11644 amended by 11989, "Use of Off-road Vehicles on Public Lands" (42 USC 4321), which requires in part that routes and areas for off-road vehicle use be designated by agency regulation. Within the national park system, routes and areas may be designated for off-road motor vehicle use only by special regulation and only in national preserves, national seashores, national lakeshores, and national recreation areas. Routes and areas may be designated only in locations where there will be no significant adverse impacts on the area's natural, cultural, and scenic resources and values and in consideration of other visitor uses.

NPS administrative off-road motor vehicle use will be restricted to that required to manage public use of designated off-road vehicle routes and areas, to conduct emergency operations, and to

accomplish essential maintenance, construction, and resource protection activities that cannot be accomplished reasonably by other means.

(See Management Techniques 6:4, Management Facilities 6:5, Use of Wilderness 6:8)

Snowmobiles. Snowmobile use is governed by Executive Order 11644 amended by 11989, "Use of Off-road Vehicles on Public Lands" (42 USC 4321), and in Alaska, by provisions of ANILCA (16 USC 3121 and 3170). The use of snowmobiles is prohibited except on designated routes and frozen water surfaces that are used during other seasons by motor vehicles and motorboats, respectively, or as otherwise specifically provided by federal statute. Routes and water surfaces may be designated for snowmobile use only in locations where there will be no significant adverse impacts on the park's natural, cultural, or scenic resources and values and in consideration of other visitor uses. Routes and water surfaces to be designated for snowmobile use will be identified in special regulations.

NPS administrative use of snowmobiles will be restricted to that required to manage public use of snowmobile routes and areas, to conduct emergency operations, and to accomplish essential maintenance, construction, and resource protection activities that cannot be accomplished reasonably by other means.

(See Management Techniques 6:4, Management Facilities 6:5, Use of Wilderness 6:8)

Accessibility for Disabled Persons

Every reasonable effort will be made to make the facilities, programs, and services of the National Park Service accessible to and usable by all people, including those who are disabled. This policy is based on the commitment to provide access to the widest cross section of the public and to ensure compliance with the intent of the Architectural Barriers Act (42 USC 4151 et seq.) and the Rehabilitation Act (29 USC 701 et seq.). Specific guidance for implementing these two laws is found in the Secretary of the Interior's regulations regarding "Nondiscrimination in Federally Assisted Programs" (43 CFR 17). Special, separate, or alternative facilities, programs, or services will only be provided when existing ones cannot reasonably be made accessible. The determination of what is reasonable will be made after consultation with disabled persons or their representatives.

(See Physical Access for Disabled Persons 5:14, General Public Use 6:8, Interpretation for Special Populations 7:4, Accessibility for Disabled Persons 8:5, Accessibility for Disabled Persons 9:3, Accessibility for Disabled Persons 10:6)

Visitor Safety and Protection

Visitor Safety. The saving of human life will take precedence over all other management actions. The National Park Service and its concessioners, contractors, and cooperators will seek to provide a safe and healthful environment for visitors and employees. The Park Service will work cooperatively with other federal, state, and local agencies, organizations, and individuals to carry out this responsibility. However, park visitors assume a certain degree of risk and responsibility for their own safety when visiting areas that are managed and maintained as natural, cultural, or recreational environments.

The National Park Service will strive to identify recognizable threats to the safety and health of persons and to the protection of property, by applying nationally accepted codes, standards, engineering principles, and the requirements of the *Loss Control Management Program Guideline* (NPS-50). Where practicable and not detrimental to NPS mandates to preserve park resources, known hazards will be reduced or removed. Where it would be inconsistent with congressionally

designated purposes and mandates or where otherwise not practicable to make physical changes, efforts will be made to provide for persons' safety and health through other controls, including closures, guarding, signing, or other forms of education. The National Park Service recognizes that the environment being preserved is a visitor attraction but that it also may be potentially hazardous. The recreational activities of some visitors may be of a high-risk, high-adventure type and pose a high personal risk to participants, which the National Park Service has neither the authority nor the ability to control physically.

(See Air Quality 4:17, Artificial Light 4:18, General Public Use 6:8, Siting Facilities to Avoid Natural Hazards 9:2, Hazardous Materials and Toxic Waste 9:6, Concessions Loss Control 10:7, Food Sanitation 10:7)

Emergency Preparedness and Emergency Operations. The National Park Service will develop a program of emergency preparedness in accordance with the Federal Civil Defense Act (50 USC 2251 et seq.), National Security Decision Directive 259 (Feb. 4, 1987), departmental policy, and other considerations at the Washington, region, and park levels. The purpose of the program will be to maximize visitor and employee safety and the protection of property. This program will include a systematic method for alerting visitors to potential disasters and evacuation procedures.

Superintendents may assist other agencies with emergencies outside parks. To the extent practicable, written agreements with such other agencies in accordance with the *Federal Assistance and Interagency Agreements Guideline* (NPS-20) must first be in effect. NPS employees who are outside the area of their jurisdiction and who are directed by their supervisors to provide emergency assistance to other agencies will be considered to be acting within the scope of their employment.

NPS emergency operations will be conducted utilizing the Incident Command System (ICS) of the National Interagency Incident Management System (NIIMS). Each park superintendent will develop and maintain an emergency operations plan to ensure an effective response to all types of emergencies that can be reasonably anticipated.

(See Emergency Management 5:14)

Law Enforcement. The National Park Service will make reasonable efforts to provide for the protection, safety, and security of park visitors, employees, concessioners, and public and private property and to protect the natural and cultural resources entrusted to its care.

In accordance with the General Authorities Act (16 USC 1a-6) employees with law enforcement responsibilities will meet the standards prescribed in regulations issued by the Secretary of the Interior for such authority. Only employees designated by the Secretary of the Interior may perform law enforcement duties and enforce applicable laws and regulations. Recognizing that effective enforcement requires a cooperative community effort, employees without law enforcement commissions will continue to share responsibility for the protection of park resources and visitors, and they will be expected to report any apparent violations or suspicious activities. Therefore, all park employees will be trained to recognize, observe, and record criminal acts and illegal activities. The National Park Service will also encourage and assist park neighbors in the development of cooperative crime prevention and detection programs.

NPS law enforcement programs will be managed and supervised in accordance with applicable laws and regulations, the Departmental Manual, and the *Law Enforcement Policy and Guideline* (NPS-9) or U.S. Park Police General Orders, as appropriate.

Search and Rescue. To provide for the protection and safety of park visitors, the National Park Service will make reasonable efforts to search for lost persons and to rescue sick, injured, or stranded persons. This responsibility may be fulfilled by NPS staff or by qualified search-and-rescue organizations or agencies that are capable of responding effectively to life-threatening

emergencies pursuant to the terms of a cooperative agreement. Deceased persons will be evacuated unless the level of risk to the rescue party is determined to be unwarranted. Search managers and superintendents will jointly determine when to terminate a search.

Individuals engaging in a high-risk recreational activity that requires a permit issued by the superintendent may, as a condition of the permit, be required to reimburse the National Park Service for subsequent search, rescue, or recovery efforts or to provide qualified personnel to assume and carry out those responsibilities.

(See Management Techniques 6:4)

Emergency Medical Services. The National Park Service will make reasonable efforts to provide appropriate emergency medical services for persons who become ill or injured. An emergency medical services program will be maintained to provide transportation of the sick and injured and emergency prehospital care, which may range from minor first aid to advanced life support in various environmental settings. Transportation may include everything from patrol cars and ambulances to fixed-wing and helicopter air ambulances.

Qualified emergency medical services in local communities may be used if they can respond rapidly enough in life-threatening emergencies. Where such services are not available, the National Park Service will make a reasonable effort to provide a level of emergency medical service commensurate with park needs.

Each superintendent will complete an emergency medical needs assessment and develop and implement a program to meet those needs, in accordance with the *Emergency Medical Services Policy and Guideline* (NPS-51).

Fees and Reservations

Basic services will be available to all visitors free of charge. These services include protection, information and orientation, and interpretation to foster an understanding and appreciation of each park's resources, management policies, regulations, and programs. Fees may be instituted for secondary or special services the National Park Service cannot or elects not to offer because of economic constraints or the need for special skills or equipment, or because they are purely supplemental programs. In all cases, fee programs will support park purposes and comply with appropriate NPS policies and standards.

(See Chapter 7: Interpretation and Education)

Recreation Fees. Pursuant to the Land and Water Conservation Fund Act (16 USC 460*l* et seq.), visitors who use federal facilities and services for outdoor recreation may be required to pay a greater share of the cost of providing those opportunities than the population as a whole. Under the guidelines and criteria established by law and regulation, the National Park Service will collect recreation fees of the appropriate type for its parks, facilities, and programs. No fees will be collected under circumstances where the costs of collection would exceed revenue or where prohibited by law or regulation. Fees will be reasonable and will be determined in accordance with the criteria and procedures contained in the Land and Water Conservation Fund Act and regulations in 36 CFR 71.

Reservation Systems. To better serve park visitors, to ensure the protection of park resources, or to improve operational efficiency, the National Park Service may operate a reservation system of its own or participate in a larger system. Such systems may involve campgrounds, other facilities, or

other services operated or provided by the Park Service for visitors. Existing systems may be expanded or new systems developed, based on NPS needs.

Superintendents should consider participating in a reservation system whenever visitors consistently experience difficulty in gaining access to a facility or program offered by the Park Service. If a servicewide system already in operation will accommodate the reservation needs of a park, the park will not participate in another type of reservation system.

AIRCRAFT USE

A variety of aircraft types, including military, commercial, general aviation, and aircraft used for NPS administrative purposes, fly over parks. Noise and sonic booms resulting from overflights have the potential to adversely affect park resources and values such as fragile cultural resources, sensitive wildlife species, and the natural quiet of park settings and to interfere with their enjoyment by visitors. The National Park Service will monitor the effects of aircraft overflights on park resources and values and on visitor enjoyment. Since the National Park Service has no direct authority or jurisdiction over airspace above parks, it will actively seek the assistance of the Federal Aviation Administration and appropriate agencies of the Department of Defense to resolve overflight concerns and to prevent, eliminate, or minimize the derogation of park resources and values associated with overflight activity. The 1984 interagency agreement among the National Park Service, the Federal Aviation Administration, and the Fish and Wildlife Service establishes agency responsibilities and procedures to be followed to address site-specific aircraft overflight concerns.

Official NPS use of aircraft in and over parks will be limited to flights needed to support or carry out emergency operations or essential management activities in cases when there are no practical alternatives or when alternative methods would be unreasonable considering such factors as safety, effects on resources and visitor enjoyment, availability of personnel and equipment, impacts on other administrative activities, and overall cost-effectiveness.

To the extent practicable, NPS use of aircraft will be planned and scheduled to consolidate flights and to avoid or minimize adverse impacts on park resources and values and visitor enjoyment. NPS aircraft operations are subject to the regulations and policies of the Department of the Interior Office of Aircraft Services and the Federal Aviation Administration and to the *Aviation Management Guideline* (NPS-60).

Private or commercial aircraft may be operated in parks only on lands or water surfaces designated as landing sites pursuant to special regulations. Landing sites may be designated only where their use will result in no significant adverse impacts on park resources and values, public safety, or visitor enjoyment. Existing sites that meet these criteria and that have been designated as a result of previously established aircraft use may be retained as long as the need for them continues to exist. New sites that meet these criteria may be designated only where essential to provide access to remote areas (other than wilderness) and only where the site can be established, used, and maintained without the need for construction or major site improvements.

(See Noise 4:18, Management Techniques 6:4, Management Facilities 6:5, Navigation Aids 9:11, Miscellaneous Management Facilities 9:16)

NATIVE AMERICAN USE

The National Park Service, to the extent consistent with each park's legislated purposes, will develop and execute its programs in a manner that reflects knowledge of and respect for the cultures, including religious and subsistence traditions, of native American tribes or groups with

demonstrated ancestral ties to particular resources in parks. Evidence of such ties will be established through systematic archeological or ethnographic studies, including ethnographic oral history and ethnohistory studies, or a combination of these sources. For purposes of this policy, the term "native American" encompasses American Indians, including Carib and Arawak; Eskimo; Aleut; and native Americans of the Pacific Islands, including native Hawaiians, native Samoans, Chamorros, and Carolinians; and it will be applicable to federally and state recognized tribes and to those native Americans who are defined by themselves and known to others as members of a named cultural unit that historically has shared a set of linguistic, kinship, political, and other distinguishing cultural features.

In developing its plans and carrying out its programs, the National Park Service will ensure the following:

NPS general regulations on access to and use of natural and cultural resources in parks will be applied in an informed and balanced manner that is consistent with park purposes and does not unreasonably interfere with native American use of traditional areas or sacred resources and does not result in degradation of park resources.

Superintendents will establish and maintain effective consulting relationships with potentially affected native American tribes or groups.

Management decisions will reflect knowledge and understanding of potentially affected native American cultures and people, gained through research and consultations with the potentially affected groups.

The American Indian Religious Freedom Act (42 USC 1996) states that "henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right to freedom to believe, express, and exercise the traditional religions of the American Indians, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites." This statute does not create additional rights or change existing authorities, but as a matter of policy in keeping with the spirit of the law, the National Park Service will be as unrestrictive as possible in permitting native American access to and use of traditional sacred resources for customary ceremonials.

The National Park Service will permit members of native American tribes or groups to have access to park areas to perform traditional religious, ceremonial, or other customary activities at places that have been used historically for such purposes. However, requests to conduct native American activities will be subject to the same criteria as other special park uses unless the activity is specifically authorized by federal statute or treaty right.

Members of native American tribes or groups may enter parks for such nonrecreational activities without paying an entrance fee. Performance of these traditional activities at a particular place will not be a reason for prohibiting the use of that area by others except where temporary closings are authorized by law, but the Park Service will not direct visitor attention to the performance of religious observances unless the native American group so wishes.

The National Park Service will protect sacred resources to the extent practicable and in a manner consistent with the goals of the traditionally associated native American tribe or group. The location and nature of sacred sites will be excepted from public disclosure.

The ceremonial use of peyote will be limited to members of the Native American Church during religious ceremonies, in accordance with regulations of the Department of Justice, Drug Enforcement Administration ("Special Exempt Persons, Native American Church," 21 CFR 1307.31).

The National Park Service will regularly and actively consult with traditionally associated native American individuals or groups regarding planning, management, and operational decisions that affect subsistence activities, sacred materials or places, or other ethnographic resources with which they are historically associated. Information about the outcome of these consultations will be made available to those consulted.

(See Ethnographic Resources 5:11, Special Park Uses 8:10, First Amendment Activities 8:11, Collecting Natural Products 8:15, Subsistence 8:16)

SPECIAL PARK USES

A special park use is defined as any activity that is proposed for, or exists within, a park and that requires written permission from an NPS official in order to take place. A special park use may be permitted only if the activity has been judged by the superintendent not to cause any derogation of the values and purposes for which the park was established, unless directly and specifically authorized by federal law.

Each request to engage in a special park use or to renew authorization of an existing use will be reviewed and evaluated by the superintendent according to the terms of applicable legislation, regulations, guidelines, and management planning documents, using criteria and procedures outlined in the *Special Park Uses Guideline* (NPS-53). Initial or renewal requests to conduct an activity will be denied if the superintendent determines that the activity

will conflict with law or policy

will be in derogation of the values and purposes for which the park was established

will be inconsistent with the park's enabling legislation

has reasonable potential to cause illness, personal injury, or property damage

will unduly interfere with normal park operations, resource protection, or visitor use

The National Park Service will also terminate any current activity subsequent to a finding that any of the above conditions exist.

To the extent authorized by applicable legislation, regulations, and policies, the National Park Service will establish and collect appropriate permit fees for special park uses and will seek reimbursement from permittees for NPS costs incurred in administering the permit and monitoring the activities it authorizes.

(See Authorization 2:4, Special Events 8:10)

Special Events

Special events, such as sporting events, pageants, regattas, public spectator attractions, entertainment, ceremonies, and large encampments, may be authorized under permit by the superintendent subject to the same criteria as other special park uses provided that (1) there is a meaningful association

between the park and the event, and (2) the event contributes to visitor understanding of the significance of the park.

The National Park Service will not permit the staging of special events that are conducted primarily for the material or financial benefit of participants, that involve commercialization, advertising, or publicity by participants, or for which a separate public admission fee is to be charged, unless the event is directly related to the purposes for which a park was established. Additional guidance and procedures are found in the *Special Park Uses Guideline* and in 36 CFR 2.50.

(See Special Events 6:9, Personal Services 7:2, Interpretation by Others 7:4, Facilities for Arts and Culture 9:12)

First Amendment Activities

The National Park Service will allow public assemblies, meetings, demonstrations, religious activities, and other public expressions of views conducted under the First Amendment of the U.S. Constitution in parks, in accordance with NPS general regulations and provided that a permit has been obtained from the park superintendent. To ensure public safety and the protection of park resources and values and to avoid assigning the same location and time to two or more activities, the Park Service may manage these activities by regulating the time, location, number of participants, use of facilities, and number and types of equipment used, but not the content or message.

Locations within a park that are available for public assemblies and other First Amendment activities, including the sale and distribution of printed matter, will be designated on a map by the superintendent in accordance with criteria found in the NPS general regulations (36 CFR 2.51 and 2.52) unless the sites are otherwise protected from public disclosure, such as sites sacred to native Americans or sites with vulnerable natural and cultural resources. When the National Park Service allows one group to use an area or facility for expressing views, it must allow all other groups a similar opportunity, if requested. No group wishing to assemble lawfully may be discriminated against or denied the right of assembly, provided that all applicable permit criteria and requirements are met. Whenever religious activities are conducted in parks, any NPS actions pertaining to them must reflect a clearly secular purpose, must have a primary effect that neither advances nor inhibits religion, and must avoid excessive governmental entanglement with religion.

NPS staff on duty at an area in which a First Amendment activity is being conducted will be neutral toward the activity but will remain responsible for the protection of participants, spectators, private property, public property, and park resources. On duty staff may not participate in a First Amendment activity. NPS employees exercising their First Amendment rights when off duty will not imply any official NPS endorsement of the activity.

(See Consultation and Confidentiality 5:12, Confidentiality of Resource Data 5:13)

Rights-of-way

A right-of-way across lands administered by the National Park Service may be issued only pursuant to specific statutory authority and only if there is no practicable alternative to such use of NPS lands. The issuance of rights-of-way over lands administered by the National Park Service is governed by statutory authorities in 16 USC 5 (electrical power transmission and distribution, radio and TV, and other forms of communications facilities), 16 USC 79 (certain other public utilities and water conduits), and 23 USC 317 (highways that are part of the federal aid highway system). Issuance of a right-of-way under 16 USC 5 or 79 is discretionary and conditional upon a finding by the National Park Service that the proposed use is not incompatible with the public interest.

Issuance of a right-of-way under 23 USC 317 is subject to findings specified in 23 USC 138 to be made by the Secretary of Transportation and concurred in by the Secretary of the Interior. There are no general statutory authorities for roads outside the federal aid highway system or for oil or gas pipelines; however, individual park enabling legislation may contain such authorizations. A right-of-way proposed for a park in Alaska is subject to the authorities and procedural requirements of title XI of the Alaska National Interest Lands Conservation Act.

When an application for a right-of-way is submitted, the superintendent will establish conditions, develop documentation of compliance with the National Environmental Policy Act, and establish appropriate fees. Rights-of-way will be executed by the Director. A right-of-way issued by the National Park Service does not convey an interest in land and is revocable for violation of any of its conditions or at the discretion of the Director.

NPS regulations pertaining to the issuance of rights-of-way are in 36 CFR 14; departmental regulations pertaining to rights-of-way in Alaska are found in 43 CFR 36. Additional guidance is in the *Special Park Uses Guideline.*

(See Rights-of-Way 6:9)

Commercial Motion Picture and Still Photography

The making of commercial motion pictures, television productions, or still photographs involving the use of professional casts, settings, or crews will be allowed in parks only pursuant to the terms and conditions of a permit issued by the superintendent. The permit terms will provide for protection of park resources and ensure that filming activities do not conflict with visitor use or administrative activities. Appropriate performance bond and liability insurance requirements will also be imposed, consistent with applicable statutory authorities and regulations. Bona fide news or editorial photography is not commercial and is not subject to the provisions of this policy.

NPS employees, while on duty or in uniform, will not be employed by permittees. Identifiable NPS equipment, uniforms, or insignia will not be portrayed in commercial advertising in any way that would imply NPS endorsement of the product. If the National Park Service incurs unbudgeted costs in monitoring, providing protection services, or otherwise supporting commercial filming activities, then reimbursement of those costs will be obtained from the permittee as a condition of the permit issued for the filming. Additional direction is provided by the *Filming Guideline* (NPS-21).

Mineral Development

Mineral development includes exploration, extraction, production, storage, and transportation of minerals. Mineral development may be allowed in parks only where there are existing valid mining claims, federal mineral leases, or nonfederally owned minerals. If the National Park Service determines that the proposed mineral development would be in derogation of park values and purposes and cannot be sufficiently modified to meet this standard, then the Service will seek to extinguish the associated mineral right through acquisition unless otherwise directed by Congress. In some parks all or certain types of mineral development are specifically prohibited by law.

All persons who conduct mineral development within parks will do so only in conformance with applicable laws, regulations, and NPS policies. These laws include the Mining in the Parks Act (16 USC 1901 et seq.), the Mineral Leasing Act (30 USC 181 et seq.), the Acquired Lands Mineral Leasing Act (30 USC 301 et seq.), the Surface Mining Control and Reclamation Act (30 USC 1201 et seq.), the NPS Act for Administration (16 USC 1a-1), the Alaska National Interest Lands

Conservation Act (16 USC 3101 et seq.), and enabling statutes for individual parks. Mineral development must also conform with regulations in 36 CFR 9A and B and 43 CFR 3100-3500. Persons may not use or occupy surface lands in a park for purposes of removing minerals outside the park unless provided for in law.

General management plans, land protection plans, and other planning documents for parks with mining claims, federal mineral leases, or nonfederally owned mineral interests will address these nonfederal property interests as appropriate. Lands with mineral interests will be zoned according to their anticipated management and use, based on their resource values, park management objectives, and park-specific legislative provisions relating to mineral interests.

(See Management Zoning 2:7, Land Protection Plans 3:1, Criteria for Recommended Wilderness 6:2, Mineral Development 6:10)

Mining Claims. All parks are closed to the location of new mining claims on federal lands under the General Mining Law of 1872 (30 USC 21). The National Park Service may permit mineral development only on existing valid mining claims in conformance with the park's enabling legislation and the regulations for mining claims in 36 CFR 9A. The Park Service will perform a validity examination of a claim before approving a plan of operations in accordance with 36 CFR 9A, except that for some claims in Alaska, operations may be approved based on information available to the Service (such as information contained in the supplemental claim information statement or the findings of a preliminary field examination) prior to the completion of a validity examination. All mineral development and use of resources in connection with a claim will be confined to the boundaries of the claim itself, except for access and transport that are permitted under 36 CFR 9A or, for Alaska, 43 CFR 36.

Federal Mineral Leases. All parks are closed to new federal mineral leasing except for five national recreation areas (Lake Mead, Lake Chelan, Ross Lake, Whiskeytown, and Glen Canyon) where Congress has explicitly authorized federal mineral leasing in each area's enabling legislation. Portions of four of these units and all of Lake Chelan National Recreation Area have been closed to federal mineral leasing by the Secretary of the Interior. No person may explore for federal minerals in any of these areas except under an oil and gas lease issued pursuant to regulations in 43 CFR 3100, or in the case of solid materials, under a prospecting permit issued pursuant to regulations in 43 CFR 3500. Before consenting to a federal mineral lease or subsequent permit in any of these areas, the responsible regional director will determine that leasing, and the subsequent mineral development in connection with leasing, will not result in a significant adverse effect on park resources or administration.

Some park areas contain leases that existed at the time the park was created or expanded. These leases are valid existing rights and will continue to exist until such time as they expire under the regulations that govern federal mineral leasing (43 CFR 3100 and 3500). When such a lease expires, the minerals and lands containing such minerals cannot be leased again.

Nonfederally Owned Minerals. Where the development of nonfederal mineral rights within parks is proposed, the National Park Service will determine whether such development can be undertaken without the derogation of park purposes and values. If the proposal cannot be sufficiently modified to meet this standard, the Service will seek to extinguish the mineral right through acquisition unless otherwise directed by Congress.

NPS regional directors may approve mineral development related to nonfederally owned oil and gas under the regulations in 36 CFR 9B. Until the National Park Service promulgates special regulations to control mineral development of nonfederal minerals other than oil and gas, a regional director may approve operations in connection with such minerals under regulations in 36 CFR 5,

which govern "Commercial and Private Operations," provided that such operations do not violate the above stated standard.

Agricultural Uses

Agricultural uses and activities are authorized in parks in accordance with the direction provided by a park's enabling legislation and general management plan. However, agricultural uses and activities may not be conducted in natural zones. Agricultural practices and techniques, including the use of pesticides, are subject to the provisions of federal and state laws, NPS regulations and policies, and the *Special Park Uses Guideline.* In general, agricultural activities should be conducted in accordance with accepted best management practices. The National Park Service may issue leases or special use permits to individuals or organizations to conduct agricultural activities on park lands.

Agricultural activities in cultural zones, including demonstration farms, will be allowed if (1) they conform to those that occurred during the historic period, (2) they do not result in the derogation of park values or purposes, and (3) they support the park's interpretive themes. Agricultural uses that do not conform to those in practice during the historic period may be allowed if (1) they are authorized by federal law, (2) they are retained as a right subsequent to NPS land acquisition, or (3) they contribute to the maintenance of a historic scene. Within agricultural subzones, certain agricultural practices may be allowed or restricted to achieve desirable land uses or NPS management objectives.

NPS and concession employees living in parks may cultivate gardens for personal use in park development zones and cultural zones under terms and conditions established by the superintendent. Such use will not be permitted if it would deplete or pollute water supplies, adversely affect visitor enjoyment of the historic or natural scene, or result in the derogation of park values or purposes. In urban parks, areas may be designated for community recreational gardening under the same conditions.

(See Management Zoning 2:7, Landscapes and Plants 4:8, Pests 4:13, Cultural Landscapes 5:6, Personal Services 7:2)

Grazing

Commercial grazing or stock driveways will be allowed only in those parks where (1) they are specifically authorized by federal law, (2) they were retained as a reserved right arising from NPS land acquisition, or (3) they are necessary to maintain the historic scene. Grazing and stock driveways will be eliminated in all other parks. In parks where authorized grazing occurs, it may be managed by the National Park Service or through an agreement with the Bureau of Land Management or another agency.

The National Park Service will develop a grazing management plan for all parks where grazing occurs, including parks where grazing is managed by other agencies. Grazing will be managed and conducted in accordance with standards and procedures designed to ensure that it does not result in significant damage to park resources. These standards will be achieved through the use of the best grazing management practices possible. The National Park Service will determine the significance of the impacts from grazing activities based upon the organic act, the park's enabling legislation, other applicable legislation, and the values and purposes of the park. Livestock or trail stock will be kept within the carrying capacity of the area to be grazed so that the composition, condition, and distribution of native plant and animal communities and ecosystem dynamics are not significantly altered and so that conflicts with public use are minimized. To protect park resources, restrictions may be placed on class and numbers of animals and locations and periods of use.

Because of the fragile nature of the resources involved, grazing in riparian zones will be discouraged.

No facilities or range developments such as fences, corrals, or water developments, other than those authorized by law or approved for NPS use or concession use, will be allowed in parks to increase livestock numbers or to introduce livestock into areas where they cannot otherwise exist. The National Park Service will not expend funds to construct or maintain commercial livestock facilities unless there is a direct benefit to the protection of park resources. The grazing permittee will be required to remove such facilities when grazing activities are no longer authorized.

Trail stock used by the National Park Service, concessioners, or the public may graze in natural zones of parks only as they pass through these areas. Grazing will be restricted in natural zones whenever necessary to protect park resources and values. The Park Service will generally encourage parties to pack in feed for stock, and will require it where stock grazing would have adverse impacts on park resources.

Where grazing or livestock trailing is otherwise allowed but its continuation would conflict with public enjoyment of park resources or would interfere with the functions of the natural ecosystem, the National Park Service will eliminate grazing, whenever possible, through orderly and cooperative procedures with the individuals or organizations concerned.

(See Management Zoning 2:7, Water Quantity and Quality 4:15, Criteria for Recommended Wilderness 6:2, Grazing and Livestock Driveways 6:9, Equestrian Trails 9:10, Miscellaneous Management Facilities 9:16)

Collecting Natural Products

Collecting natural products for personal use or consumption is governed by NPS general regulations and by the *Special Park Uses Guideline.* A superintendent may designate certain fruits, berries, nuts, or unoccupied seashells that can be gathered by hand for personal use or consumption, including traditional use by native Americans, upon a written determination that such an activity will not adversely affect park wildlife or the reproductive potential of a plant species or otherwise adversely affect park resources. The collection of minerals or rocks will be allowed only when specifically authorized by federal law or treaty rights.

While campfires are a traditional element of camping and the park experience, gathering firewood will be prohibited except where subsistence use is authorized by federal law or in specific areas designated by a superintendent where dead and down wood may be collected for campfires. Natural resource products that accumulate as a result of site clearing for development, hazard tree removal, vista clearing, or other management actions will be recycled through the ecosystem wherever practicable. Where recycling is not practicable, the products may be disposed of. Disposal may be accomplished by contract, if the result of work done under contract and the value is calculated in the contract cost, or by sale at fair market value in accordance with applicable laws and regulations. Wood that accumulates as a result of management actions described above may also be used for park purposes such as heating public buildings or offices or for interpretive campfire programs.

(See Research and Collection Activities 8:15)

Research and Collection Activities

Research activities by non-NPS personnel that, in the superintendent's judgment, might disturb resources or visitors or that require the waiver of any regulation may be allowed in parks only pursuant to the terms and conditions of an appropriate permit. Scientific collecting activities that

involve the removal of plants, animals, minerals, or archeological, historical, or paleontological objects will be allowed only if they are (1) proposed in conjunction with authorized research activities and (2) authorized and conducted in accordance with all applicable legislation, regulations, and guidelines (36 CFR 2.5).

(See Science and Research 4:2, Research 5:2, Ethnographic Research and Inventories 5:12, Collecting Natural Products 8:15)

Subsistence

Subsistence uses and access will be allowed only where such activities are specifically mandated by federal law, such as the Alaska National Interest Lands Conservation Act, or treaty rights. Subsistence uses will be conducted in accordance with the provisions of law and consistent with sound management principles and managed so that the composition, condition, and distribution of native plant and animal communities and ecosystem dynamics are not significantly altered.

(See Native American Use 8:8)

Cemeteries and Burials

National Cemeteries. All national cemeteries administered by the National Park Service will be managed as historically significant resources and as integral parts of larger historical parks. Burials in national cemeteries will be permitted, pursuant to applicable regulations, until available space has been filled. Management and preservation of national cemeteries are subject to the provisions of the National Cemeteries Act (38 USC 1000 et seq.), NPS "National Cemetery Regulations" (36 CFR 12), and the *National Cemeteries Management Guideline* (NPS-61).

The enlargement of a national cemetery for additional burials constitutes a modern intrusion compromising the historical character of both the cemetery and the historical park and will not be permitted.

Family Cemeteries. Burial of family members in family cemeteries that have been acquired by the National Park Service in the establishment of parks will be permitted to the extent practicable, pursuant to applicable regulations, until space allotted to the cemeteries has been filled.

Other Burials and Scattering of Ashes. Other burials or reinterments outside established cemeteries in parks will be prohibited except where permitted by cultural resource policies. The scattering of human ashes from cremation may be permitted by a superintendent, in accordance with NPS general regulations.

(See Burial Sites and Cemeteries 5:13, Cultural Resources 6:7, Interpretation and Native Americans 7:5)

Other Special Park Uses

Other special uses of parks that may be allowed under permit or special regulations include use of explosives or fireworks, military operations, use of portable power equipment, and sale and distribution of printed matter. Specific guidance is provided in 36 CFR and the *Special Park Uses Guideline*.

9 Park Facilities

9 Park Facilities

The National Park Service will provide appropriate facilities necessary for resource protection and required for visitor enjoyment of parks. The visitor and management facilities provided by the Park Service and its concessioners will be harmonious with park resources, compatible with natural processes, aesthetically pleasing, functional, as accessible as possible to all segments of the population, energy-efficient, and cost-effective.

GENERAL

The provision of the support structures required to transport, house, inform, and serve visitors and staff requires planning, design, programming, construction, operations, and maintenance.

Facility Planning and Design

Planning and design of park facilities will be accomplished by interdisciplinary teams constituted to meet the environmental, programmatic, and technical requirements of the project. Public input will be sought at the earliest stage of planning and design, particularly in those cases where controversy is likely, or at a later stage if the specific project was not developed in sufficient detail during earlier planning steps to allow effective public input.

Facilities necessary for visitor use and park management will be identified in general management plans, development concept plans, and associated planning documents.

Designs for park facilities, regardless of their origin (NPS, contractor, concessioner, or other), will be harmonious with and integrated into the park environment and will be subject to the same high standards of design and functionality and to the same review and approval processes, including inspection while construction is underway.

(See Park Planning Process and Products 2:4)

Life-Cycle Costs. All costs, including initial construction costs, ongoing maintenance costs, and operating costs, will be considered in the planning, design, and construction of facilities.

Location. Major facilities within park boundaries will be placed only in development zones established by the park's approved general management plan. Where authorized, major facilities may also be located outside park boundaries in the vicinity of the park. Where possible and appropriate, the Park Service will establish and maintain cooperative administration/information facilities with other federal, state, or local entities. When structures that are not historically

significant are determined to be inappropriately placed in prime resource areas, they will be removed.

(See General Management Plan 2:6, Treatment of Cultural Resources 5:5, Management Facilities 6:5)

Adaptive Use. Adaptive use of historic and nonhistoric buildings for uses such as visitor centers, hostels, and administrative offices will generally be considered before new construction, assuming that an existing building can meet park objectives and its use will not be an intrusion on significant natural or cultural resources. Facility development is subject to section 110 of the National Historic Preservation Act (16 USC 470 et seq.), which states that available historic properties will be used to the maximum extent feasible prior to acquiring, constructing, or leasing other buildings. Use of historic buildings will comply with all laws, regulations, and policies regarding the treatment and use of cultural properties.

(See Planning and Proposal Formulation 5:4, New Construction 5:7, Use of Historic Structures 5:8, Accessibility for Disabled Persons 9:3)

Integration of Facilities into the Park Environment. Facilities will be integrated into the park landscape and environs so as to cause minimum impact. Development will not compete with or dominate park features.

A cohesive design theme will reflect the purpose and character of the park, or of an individual developed area of a large park. Standard designs and components may be used, but they will be adapted as appropriate to the specific site and conditions as part of the design process.

Full integration of facilities into the park environment will involve

innovative concepts for grouping facilities and activities, both in design of new development and in redesign of existing complexes, building on the architectural and landscape elements already present

thorough resource and user analyses

sensitivity to cultural, regional, aesthetic, and environmental factors in the selection of site, materials, and forms

knowledge of values and other sociocultural concerns of park associated ethnic groups

(See Protection of Cultural Values 9:2, Visitor Centers 9:11, Siting Facilities to Avoid Natural Hazards 9:2)

Protection of Cultural Values. In cultural zones, new visitor or administrative structures will harmonize with the area and its cultural resources in proportion, color, and texture. No attempt will be made to duplicate or mimic a historic design, nor will any modern construction be portrayed to the public as historic. Application of the criteria of effect promulgated by the Advisory Council on Historic Preservation and compliance with the Council's regulations on "Protection of Historic Properties" (36 CFR 800) will precede any development. These criteria will apply to all historic properties even if they are not included within a cultural zone.

(See Resource Identification, Evaluation, and Registration 5:1, Planning and Proposal Formulation 5:4, New Construction 5:7)

Siting Facilities to Avoid Natural Hazards. Facilities will not be located in areas where natural processes pose a persistent threat unless no practicable alternative site exists and unless all safety and hazard probability factors have been considered. Hazardous areas include sites with unstable

soils and geologic conditions, fault zones, thermal areas, floodplains, flash-flood zones, and coastal high-hazard areas. Where facilities must be located in such areas, their design and siting will consider the nature of the hazard and include appropriate mitigating measures to minimize risks to human life and property. Requirements for development in floodplains and wetlands are contained in Executive Order 11988, "Floodplain Management" (42 USC 4321), and Executive Order 11990, "Protection of Wetlands" (42 USC 4321), and their implementing guidelines.

(See Floodplains and Wetlands 4:16, Shoreline Management 4:20, Visitor Safety and Protection 8:5, Planning Criteria for Park Concessions 10:1)

Accessibility for Disabled Persons. Visitor and management facilities and transportation systems will be made as accessible as practicable, depending on the nature of the area and of the facility, to persons with visual, hearing, mobility, and mental impairments. Accessibility will be provided consistent with preserving park resources and providing a high quality visitor experience. The degree of accessibility provided will be proportionately related to the degree of man-made modifications in the area surrounding the facility and to the importance of the facility to people visiting or working in the park, as described below. Concessioner facilities will be subject to the same accessibility standards as NPS facilities. The legislative bases for policies on accessibility are the Architectural Barriers Act (42 USC 4151 et seq.) and the Rehabilitation Act (29 USC 701 et seq.).

Buildings and sites in developed areas will be designed and constructed or rehabilitated in accordance with "Uniform Federal Accessibility Standards" (49 FR 31528) to provide full accessibility to disabled persons. Most administrative offices, some visitor overnight accommodations, some employee housing, and most interpretive and visitor service facilities will be accessible. Undeveloped areas, such as those outside the immediate influence of buildings and roads, will not normally be modified, nor will special facilities be provided for the sole purpose of providing access to all segments of the population. Accessibility in threshold areas, such as scenic overlooks, nature trails, features of special interest, or wayside exhibits, will be determined on the basis of the nature of the topography, the significance of the attraction, and the amount of existing or contemporary man-made modifications.

Transportation systems in parks will have a sufficient percentage of fully accessible vehicles to provide effective services to disabled persons. On existing systems, the necessary vehicles will be provided on a replacement or retrofit basis. Until the transportation system has been made fully accessible, a separate accessible vehicle will be provided, or disabled persons will be allowed to drive their personal vehicles on otherwise restricted roadways. No new roads will be developed for the sole purpose of providing disabled visitors access to a given area. However, within the existing road system, efforts will be made to provide for specialized transportation needs. Water transportation systems will be as accessible as the areas being served by the systems. Every effort will be made to provide full access to scenic cruise vessels.

In meeting the goal of accessibility, emphasis will be placed on ensuring that disabled persons will be afforded experiences and opportunities with other visitors to the greatest extent practicable. Separate facilities for the physically and mentally disabled are not a substitute for full accessibility to other park facilities, but they may be allowed where the need for specialized services is clearly demonstrated.

(See Physical Access for Disabled Persons 5:15, Interpretation for Special Populations 7:4, Accessibility for Disabled Persons 8:5, Accessibility for Disabled Persons 10:6)

Construction

Construction Sites. Construction sites will be limited to the smallest feasible area. Ground disturbance will be carefully controlled to preclude undue damage to vegetation, soils, and archeological resources, and to reduce air, water, and noise pollution. Care will be exercised to ensure that construction equipment and all construction materials imported into the park are free of undesirable species.

(See Air Quality 4:17, Noise 4:18)

Revegetation and Landscaping. The selection of plant material and cultivation practices will be guided by the policies for "Landscapes and Plants" in chapter 4. Irrigation to maintain exotic plantings will be avoided except where such irrigation is part of an approved management program essential to achieve park objectives and when dependable supplies of water are available.

Wherever practicable, soils and plants affected by construction will be salvaged for use in site restoration. Any surplus soils and plants may be used for the restoration of other degraded areas within the park, and surplus soils should be stockpiled for future use. If additional soil and plants are needed to restore disturbed sites, they may be obtained from other sites in the park if it is determined that use of an in-park source will not significantly affect cultural or natural resources or ecological processes. In any case, imported soils must be compatible with existing ones and fulfill horticultural requirements of plants used for restoration.

(See Landscapes and Plants 4:8, Genetic Resources 4:10, Introduction of New Exotic Species 4:11, Water Quantity and Quality 4:15, Soil Resource Management 4:19, Cultural Landscapes 5:6, Water Supply and Wastewater Treatment Systems 9:5)

Borrow Pits and Spoil Areas. Materials from borrow pits or other sand or gravel sources on NPS lands, including submerged lands, may be used only by the National Park Service in connection with functions necessary for park administration. Superintendents will only create or use new borrow pits or other sources or continue to use existing sources inside the park if it is determined, based on a written analysis, that economic factors make it totally impractical to import sand or gravel and if acceptable sources are identified in the park resource management plan.

When the National Park Service must obtain borrow materials or create spoil areas within a park, it will use areas devoid of significant cultural and natural resources, as identified through appropriate studies, and areas not viewed or used by visitors. Such areas will be restored to be compatible with the surrounding environment. All proposals for obtaining materials from a previously unused source within a park will be reviewed under all pertinent environmental statutes, including the National Environmental Policy Act (42 USC 4321 et seq.), the National Historic Preservation Act (16 USC 470 et seq.), the Endangered Species Act (16 USC 1531 et seq.), and the Clean Water Act (33 USC 1251 et seq.). All applicable federal, state, and local permits will be obtained prior to the creation and use of new borrow sources.

Proposed borrow pits and spoil areas outside parks will also be evaluated to ensure that use by the National Park Service or its contractors complies with all applicable statutes and regulations and does not negatively impact resources or values inside the park. Such areas will be restored as appropriate.

(See Revegetation and Landscaping 9:4, Nonfederally Owned Minerals 8:13)

Maintenance

There is a maintenance responsibility for every asset that is owned by the National Park Service. The costs of operation and the useful life of the facilities and equipment are directly related to the type and level of maintenance provided. Therefore, the National Park Service will conduct a program of preventive and rehabilitative maintenance and preservation to protect the physical integrity of facilities so as to provide a safe, sanitary, and aesthetically pleasing environment for park visitors and employees and to preserve or maintain facilities in their as-constructed (or reconstructed) condition to the greatest extent possible.

(See Operating and Maintenance Plans 10:5)

Utilities

Utilities will be as unobtrusive as possible and have the least possible resource impact. The National Park Service will use municipal or other utility systems outside the parks whenever economically and environmentally practicable, and it may participate where authorized in cost-sharing with municipalities and others in meeting new, expanded, or replacement park utility needs.

(See Utility Rates 10:6)

Water Supply and Wastewater Treatment Systems. Water systems will be designed to conserve water. Before new water systems or extensions of existing systems are constructed, it will be determined that reasonable economies in the use of existing water systems will not cover expected needs. Where feasible, groundwater sources will be developed in lieu of or to replace surface water diversions in parks. Water systems are subject to state and federal health standards.

No new wastewater treatment plants will be constructed, and no existing plants will be enlarged to handle increased sewage flows until it has been determined that reductions in water use are not possible. In selecting an appropriate method of wastewater treatment, the factors of all-season reliability, cost-effectiveness, and minimum adverse impact on the environment will all be considered. Wastewater will be adequately treated so that on its return to water courses it meets or exceeds applicable state and federal water quality standards.

(See Water Quantity and Quality 4:15, Campgrounds 9:13, Comfort Stations 9:14)

Underground Utility Lines. Where feasible, utility lines will be placed underground except where such placement would cause significant damage to natural or cultural resources. When placed aboveground, utility lines and appurtenant structures will be located and designed to minimize their impact on park resources and values. Wherever possible and visually acceptable, all utilities will share a common corridor and will be combined with transportation corridors.

(See Criteria for Recommended Wilderness 6:2)

Historic Utilities. Utilities that were present during the historic period will be managed as cultural resources and will be governed by the same policies as other cultural resources. Where present needs require upgraded lines and facilities, modern utilities will conform insofar as possible to the appearance and location of the historic utilities.

(See Planning and Proposal Formulation 5:4, Structures 5:6)

Solid Waste Management. The National Park Service recognizes the national problem of solid waste management and will encourage environmentally sound solutions. All waste management

decisions will be based on a consideration of economics, proper use of resources (both personnel and physical), safety, effect on the total environment, and other factors of sound engineering and will be in compliance with all federal, state, and local regulations regarding avoidance, amelioration, or elimination of environmental pollution.

The National Park Service will promote the use of biodegradable materials, the reuse and recycling of materials, and other appropriate measures to minimize solid waste and conserve natural resources to the fullest extent possible.

Solid waste disposal on NPS lands is incompatible with the purpose for which the land was acquired or is being managed; therefore, every effort will be made to dispose of solid waste outside of NPS managed lands using approved regional landfills.

NPS-owned or managed lands will not be used for disposal of wastes brought as such from any state or any local community except as authorized by Congress or previously authorized by written agreement. These wastes include sewage, sewage sludges, water plant sludges, sewage plant effluent, hazardous or toxic wastes, garbage, and trash. (This policy does not apply to the typical trash or garbage brought as such by visitors and carried in their vehicles or trailers.)

Incineration as a means of solid waste disposal will be used only if there is no other feasible alternative. Incineration is subject to provisions in the Clean Air Act (42 USC 7401 et seq.), including, if applicable, performance standards (40 CFR 60), and with other operational guidance published by the Environmental Protection Agency regarding municipal waste incineration and industrial boilers (FR 50:28545). Open burning for solid waste disposal will not be permitted in parks except on a very limited basis in backcountry areas.

(See Air Quality 4:17, River Use 8:3, Backcountry Use 8:3, Miscellaneous Management Facilities 9:16, Recycling and Beverage Container Program 10:9)

Hazardous Materials and Toxic Waste

Superintendents will make efforts to avoid hazardous material incidents and to control or minimize them should they occur. Prevention will include acquisition of minimum quantities of hazardous materials; selection of the least toxic materials; implementation of safe use, storage, and disposal practices; recycling of spent materials; and development of emergency response programs. Any hazardous or toxic waste the Park Service generates (solvents, paints, acids, batteries, etc.) will be disposed of separately from solid waste. Activities pertaining to hazardous and toxic materials, including purchase, storage, transportation, and disposal, will comply with federal, state, and local laws and regulations including but not limited to the Resource Conservation and Recovery Act (42 USC 6901 et seq.), the Comprehensive Environmental Response Compensation and Liability Act (42 USC 9601 et seq.), and the integrated pest management program of the National Park Service.

The National Park Service will identify and take actions to address existing hazardous waste problems, buried toxic dumps and landfills, spills, and contamination of water, soil, and air. When acquiring future park sites, identification of potential hazardous waste problems will be included in the site evaluation/acquisition process. Any existing or potential hazardous waste problems on lands proposed for inclusion in a park or for future acquisition will be brought to the attention of the Director as soon as they are identified.

(See Chapter 3: Land Protection; see also New Area Studies and Criteria 2:1, Integrated Pest Management Procedures 4:13, Suitability and Feasibility 2:3).

Energy Management

The National Park Service will conduct its activities in a manner that ensures that energy is used in a wise and economical manner. Park resources and values will not be degraded to provide energy for NPS purposes.

All facilities, vehicles, and other equipment will be managed, operated, and maintained in a safe and healthful manner and to minimize consumption of energy and development of nonrenewable fuels. Renewable sources of energy and new developments in energy-efficiency technology, including recycling of materials and waste, will be used where appropriate and cost-effective. However, energy efficiencies will not be achieved at the expense of adverse impacts on park resources and values.

Park personnel and visitors may be provided with in-park public transportation or trails and walks for nonmotorized transportation as energy-conserving alternatives.

The National Park Service will interpret the wise use of energy to the public and will educate and motivate NPS personnel to conserve energy.

(See Air Quality 4:17, Interpretive Programs 7:1, Transportation Services 9:9, Trails and Walks 9:9)

Structural Fire Protection and Suppression

Structural fires will be suppressed to prevent the loss of human life or to prevent damage to real property or cultural or natural resources. Fire suppression services will be provided primarily by appropriate community or county fire departments in accordance with the terms of agreements or contracting documents. At parks where such services are not available, the National Park Service will provide a level of structural fire protection commensurate with park needs.

Each superintendent will complete a structural fire needs assessment and develop and implement a structural fire plan, as appropriate, to meet park needs.

(See Implementation Plans 2:9, Wildfire Prevention and Suppression 4:14, Fire Detection and Suppression 5:13)

ACCESS AND CIRCULATION SYSTEMS

Working with other responsible authorities, the National Park Service will seek reasonable access to parks and ensure that the means of circulation within them are adequate to permit public enjoyment of park resources. Depending on a park's size, location, resources, and level of use, the access and circulation system may include a mix of automobile, bus, foot, bicycle, horse, boat, plane, and other means of travel. Providing for visitor use and enjoyment, environmental constraints, protection of park resources and values, cost, conservation of energy, and accessibility for disabled persons will be primary determinants in planning the particular systems for each park. The National Park Service will provide a variety of well integrated transportation options, placing emphasis, wherever reasonable, on nonmotorized means of travel.

Park access and circulation systems will be identified in general management plans. These systems will be implemented by further detailed planning studies, such as development concept plans, trail plans, and other relevant documents.

(See General Management Plan 2:6, Implementation Plans 2:9, Management Facilities 6:5, Life-Cycle Costs 9:1, Accessibility for Disabled Persons 9:3, Energy Management 9:7)

Road Systems

Park Roads. Park roads will be well constructed, reflect the highest principles of park design, enhance the visitor experience, and be sensitive to environmental factors. Park roads are generally not intended to provide fast and convenient transportation; they are intended to enhance the quality of a visit while providing for safe and efficient travel.

For most existing parks, a road system is already in place. In updating plans for these parks, it must be determined whether the road system should be maintained as is, reduced, expanded, reoriented, eliminated, or supplemented by other means of travel. Where roads are chronically used to capacity, the use of public transit or limitations on use will be considered as alternatives to road improvements. Although they may not meet current engineering standards, some existing roads are cultural and recreational resources, and their values will be preserved.

The decision to construct, expand, or upgrade a road will be based on a determination that the following criteria are met:

Access to the area is appropriate and necessary.

A road is the best means of providing the necessary access.

Effects on significant natural resources or processes or cultural resources will be avoided, and other adverse effects will be minimized or mitigated.

The road will be intimately and harmoniously related to the landscape through which it passes.

The road will take maximum advantage, consistent with the foregoing criteria, of interpretive and scenic values.

Specific road designs are subject to the NPS *Park Road Standards*, which are adaptable to each park's unique character and resource limitations.

(See General Management 5:6, Management Facilities 6:5, Transportation Services 9:9)

Traffic Signs and Markings. Traffic signs and pavement markings on park roads are subject to the standards in the *Manual on Uniform Traffic Control Devices* as supplemented by the *National Park Service Sign Manual.* All signs and markings will conform to good traffic engineering practices. The National Park Service will follow the MUTCD with respect to the format of all regulatory traffic control signs installed on NPS roads open to public traffic. Signs will be limited to the minimum necessary to avoid confusion and visual intrusion.

(See Navigation Aids 9:10, Signs 9:11)

Commercial and Other Through-Traffic. Where existing through-traffic routes are determined to have adverse impacts on park purposes and values, the National Park Service will work with federal, state, and local agencies to minimize the impacts or to have the routes closed or removed. Commercial traffic, except for the purpose of serving park visitors and park operations, will be prohibited on roads within parks wherever possible. Where such closure is not possible, the National Park Service will work with appropriate government agencies and private organizations and individuals to minimize the impacts of such traffic.

Parking Areas. Parking areas and overlooks will be located so as not to intrude, by sight or sound, on significant features. Parking areas will be limited to the smallest size appropriate and be

designed to harmoniously accommodate motorized and nonmotorized vehicles and pedestrians. Where large parking areas are needed, their negative visual impacts will be reduced with plantings and other design techniques. Stabilized overflow parking areas should be provided where needed to accommodate peak visitation. Permanent parking areas should not be sized for peak use.

Transportation Services

A decision to provide visitor transportation services will be based on a determination that the following criteria are met:

The system is a cost-effective alternative to the construction of additional roads, parking areas, and support facilities.

The system will enhance the visitor experience by offering new or improved interpretive opportunities, simplifying travel within the park, or making it easier to see park features.

The system will reduce traffic congestion, noise, air pollution, and adverse effects on park resources and values.

The system will conserve energy.

All alternative modes of transportation may be considered conceptually. However, consideration of any mode of transportation that requires the construction of surface or elevated trackage, suspended cables, or advanced technologies will not go beyond a conceptual status without approval from the Director. Considering economic and environmental factors, any mode of transportation other than a system using rubber-tired vehicles operating on existing roads for land transportation or using standard displacement boats for waterborne systems would have to be uniquely advantageous to warrant its use to supplement or replace an existing system.

The National Park Service will work with other federal and state agencies, local and regional planning bodies, citizen groups, and others to promote public transit systems for park access and circulation and to encourage use of public transportation wherever feasible.

(See Accessibility for Disabled Persons 9:3, Energy Management 9:7, Park Roads 9:8)

Trails and Walks

This section addresses only the physical aspects of trails and walks, such as location, design, construction, and maintenance. Visitor use and management are addressed in chapter 8 under "Recreational Activities."

Trails and walks provide the only means of access into many areas within parks, and these facilities will be planned and developed as integral parts of each park's access and circulation system. Trails and walks will serve as management tools to help control distribution and intensity of use and to avoid undesirable impacts while providing enjoyable access to a variety of park areas. All trails will be carefully located, designed, and managed to allow for a satisfying park experience and to protect resources.

(See Management Facilities 6:5, Accessibility for Disabled Persons 9:3)

Hiking Trails and Walks. Trail design will vary to accommodate a range of users and will be appropriate to user patterns and site conditions. Heavily used trails and walks outside the

backcountry may be surfaced as necessary for visitor safety, accessibility to persons with impaired mobility, resource protection, and erosion control. Wetlands will generally be avoided, but where necessary may be spanned by a boardwalk or other means that will not disturb hydrologic processes. Backcountry trails will offer visitors a primitive outdoor experience and will be unsurfaced and modest in character, except where a more durable surface is needed. Artificiality in the form of nonnative materials should be avoided on backcountry trails.

(See Management Facilities 6:5, Backcountry Use 8:3)

Equestrian Trails. Equestrian trails and related support facilities, such as feed boxes and hitch rails, may be provided where consistent with park objectives and where site conditions are suitable.

(See Grazing and Livestock Driveways 6:9, Grazing 8:14)

Bicycle Trails. To encourage and facilitate bicycle use, bicycle travelways may be integrated with park roads where safe, feasible, and appropriate. Bicycle trails may be provided where appropriate and where site conditions are suitable. Bicycle trails may be paved or stabilized for the safety and convenience of travelers.

(See General Public Use 6:8)

Interpretive Trails. Interpretive trails and walks, both guided and self-guiding, may be used for purposes of visitor appreciation and understanding of park values.

(See Chapter 7: Interpretation)

Trailheads. Trailheads and trail access points, from which trail use can begin, will be carefully tied into other elements of the park development and circulation system to facilitate trail use and management.

Trail Bridges. Trail bridges may be used for crossing swift waters, areas prone to flash flooding, and other places constituting a safety hazard. Less obtrusive alternatives to bridges, such as culverts, fords, and trail relocation, will be considered before deciding to build a bridge. If a bridge is determined to be appropriate, it will be kept to the minimum size needed to serve trail users and designed to be in harmony with the surrounding natural scene and as unobtrusive as possible.

Cooperative Trail Planning. The National Park Service will cooperate with other land managers and with users groups to facilitate trail access to parks. Where parks are abutted by other public land, the National Park Service will participate in interagency, multijurisdictional trail planning. Where an effective trail system exists and where otherwise permitted, hostels or similar low-cost overnight facilities may be provided to encourage trail use.

(See Hostels and Shelters 9:13, Hostels 10.4)

National Trails. The National Park Service will cooperate with other land managers and user groups to facilitate the use of national trails, in accordance with the laws and policies applicable to such trails, to the extent that trail management and use does not detract from the basic mission and authorities of parks.

Navigation Aids

Necessary aircraft and water navigation aids will be planned in collaboration with the Federal Aviation Administration and U.S. Coast Guard, respectively, and will be installed and used in conformance with the standards established by those agencies, except that they may be jointly modified as necessary to meet specific park and public safety needs.

(See Aircraft Use 8:8, Signs 9:11)

VISITOR FACILITIES

Informational and Interpretive Facilities

Facilities will be provided to assist park visitors in appreciating and enjoying the park and understanding its significance.

(See Chapter 7: Interpretation and Education; see also Accessibility for Disabled Persons 9:3)

Signs. Signs will be carefully planned and designed to fulfill their important role in conveying an appropriate park image and in providing information and orientation to visitors. Each park will have an approved parkwide sign plan that will establish design criteria based on that park's unique resources and values. Entrance and other key signs will be distinctively designed to reflect the character of the park.

Signs will be held to the minimum number, size, and wording required to serve their intended functions, so as to minimally intrude upon the natural or historic setting. They will be placed where they do not interfere with park visitors' enjoyment and appreciation of park resources. Roadside information signs are subject to the standards established in the *National Park Service Sign Manual.* Interpretive signs will be guided by sign and wayside exhibit plans.

(See Signs 6:6, Traffic Signs and Markings 9:8, Navigation Aids 9:11)

Entrance Stations. Entrance and fee collection stations will be harmonious with the park environment and should reflect the architectural character of the park.

Visitor Centers. Where necessary to provide visitor information and interpretive services, visitor centers may be constructed at locations identified in approved plans. To minimize visual intrusions and harm to major park features, visitor centers will generally not be located near such features.

Visitor centers are not substitutes for personal or self-guiding on-site interpretation. They will be constructed only when it has been determined that indoor media are the most effective means of communicating major elements of the park story and that a central public contact point is needed.

As appropriate, a visitor center may include information services, sales of educational materials and theme-related items, audiovisual programs, museums, artifact storage, exhibits, and other staffed or self-help programs and spaces necessary for a quality visitor experience.

(See Nonpersonal Services and Media 7:3, Location 9:1, Accessibility for Disabled Persons 9:3, Curatorial Facilities 9:15, Merchandise and Handcrafts 10:8)

Amphitheaters. Amphitheaters may be provided at campgrounds and other locations where the provision of formal interpretive programs is desirable. Campfire circles may be provided in campgrounds to accommodate evening programs and informal social gatherings.

(See Campgrounds 9:13)

Wayside Exhibits. Wayside exhibits may be provided along roads and heavily used walks and trails to interpret resources on site.

(See Nonpersonal Services and Media 7:3)

Viewing Devices. Viewing devices (pedestal binoculars or telescopes) may be provided at appropriate locations when the superintendent determines that such devices are desirable for meaningful interpretation or understanding of park resources. Viewers may be provided by the National Park Service or by others under a concession permit or contract.

(See Viewing Devices 10:9)

Facilities for Arts and Culture. Various cultural events (concerts, films, lectures, plays, craft shows, and art exhibits) are permitted where they are related to a park's purposes and objectives. However, permanent facilities may be built specifically for cultural activities only when all the following criteria are met:

It is impossible or impractical to use demountable or temporary facilities.

It is impossible to adaptively use other park facilities.

The permanent facility is required for programs of major importance in conveying the park story.

Neither the facility nor its operation impairs cultural or natural resources or hinders the use of the park for its intended purposes.

The facility cannot feasibly be provided by others outside the park.

(See Use of Historic Structures 5:8, Special Events 8:10)

Overnight Accommodations and Food Services

In many cases overnight accommodations and food services are not needed within a park. However, visitors need these services in the park when the distance and travel time to accommodations and services outside the park is too great to permit reasonable use. Furthermore, certain activities, such as backcountry use, may require overnight stays. Overnight facilities and food services will be restricted to the kinds and levels necessary to achieve each park's purposes and will be provided only when the private sector or other public agencies cannot adequately provide them in the park vicinity. Overnight accommodations may vary from unimproved backcountry campsites to motel- or hotel-type lodging, as appropriate. Commercial facilities run by concessioners are addressed in greater detail in chapter 10.

(See Accessibility for Disabled Persons 9:3)

Campgrounds. Where campgrounds are determined to be necessary, their design will accommodate the differences between recreation vehicle camping and tent camping and consider terrain, soils, vegetation, climate, special needs of users, visual and auditory privacy, and other relevant factors.

The National Park Service generally will not provide a full range of amenities and utility hookups. Portable generators will be allowed but may be limited to designated areas. Shower facilities may be provided where feasible. Modest-sized play areas for small children are permissible, as are informal areas for field sports. Wherever it is necessary to restrict wood fires at individual campsites because of fire danger, air pollution, or other hazards, alternatives may be provided, such as facilities for use of charcoal or other fuels or central cook sheds. Sanitary dump stations will be provided at or near campgrounds accommodating recreation vehicles when a need exists.

Campgrounds intended to accommodate large recreation vehicles or buses will be located only where existing roads can safely accommodate such vehicles and an increased traffic load.

Campgrounds will not exceed 250 sites unless a larger number of sites has been approved by the Director.

Where desirable for purposes of management, tent camping may be accommodated in separate campgrounds or in separately designated areas within campgrounds. Provision may also be made for accommodating organized groups in separate campgrounds or in separately designated areas.

Boaters' campgrounds may be provided in parks with waters used for recreational boating. The need for and the sizes, locations, and number of campgrounds will be determined by (1) the type of water body (river, lake, reservoir, saltwater), (2) the availability and resiliency of potential campsites, (3) the feasibility of providing and maintaining docking, beaching, mooring, camping, and sanitary facilities, and (4) the potential impacts on park natural and cultural resources.

(See Noise 4:18, Artificial Light 4:18, Recreation Fees 8:7, Reservation Systems 8:7, Collecting Natural Products 8:15, Water Supply and Wastewater Treatment Systems 9:5, Comfort Stations 9:14)

Backcountry Campsites. Backcountry and wilderness campsites may be permitted, but only within the acceptable limits of use determined by the park's resource management plan or other pertinent planning document.

(See Use of Wilderness 6:8, Backcountry Use 8:3)

Hostels and Shelters. Hostels are low-cost, supervised accommodations that encourage and facilitate energy-efficient, nonmotorized enjoyment of parks and their surrounding regions by individuals and families. Such facilities, along with hostel-like accommodations, such as huts and shelters, will be considered in the planning process if overnight use is determined to be an appropriate use of the park, particularly as a means of encouraging and facilitating the use of trails and backcountry areas. The National Park Service will cooperate with other agencies, nonprofit organizations, park concessioners, and others to plan and develop hostels, where appropriate, as part of hostel systems. Hostels will be managed by others under the provisions of concession policies and guidelines or by the National Park Service where management by others is not prudent or feasible.

Hostels will, at a minimum, contain sheltered overnight accommodations and sanitary facilities, and they will usually contain cooking, eating, and recreation spaces. Hostels may be used for other park programs, such as environmental education or interpretation. Although nonmotorized access to hostels is emphasized, motorized transportation may also be available.

(See Hostels 10:4)

Comfort Stations

Comfort facilities will have waste disposal systems that meet Public Health Service standards. Levels of use will determine the size and nature of utility systems provided. Low-water-use or waterless (oil and composting) toilets will be considered in locations where water supply and wastewater disposal problems exist. Chemical toilets in portable enclosures may be used for temporary purposes where necessary. Pit privies, vault toilets, or other alternatives that meet public health standards may suffice in little used areas where utility services are not readily available.

(See Management Facilities 6:5, Backcountry Use 8:3, Accessibility for Disabled Persons 9:3, Water Supply and Wastewater Treatment Systems 9:5, Campgrounds 9:13)

Other Visitor Facilities

Other visitor facilities may be provided where necessary for visitor enjoyment of the area and where consistent with the protection of park values. Visitor facilities determined to be detrimental to park values will not be permitted.

(See Accessibility for Disabled Persons 9:3)

Picnic and Other Day Use Areas. Picnic areas and other day use areas to be used for specific purposes (such as play areas) will be provided on a limited basis as appropriate to meet existing visitor needs.

(See Management Facilities 6:5)

Facilities for Water Recreation. Boating facilities (such as courtesy docks, boat ramps, floating sewage pump-out stations, and marinas), breakwaters, and fish cleaners will be provided as appropriate for safe visitor enjoyment of water recreational resources and to protect natural resources.

(See River Use 8:3, Fishing 8:4, Campgrounds 9:13)

Skiing Facilities. Because downhill skiing is an active sport activity that requires extensive development and can be provided outside park areas, it will generally not be provided for in parks. The National Park Service will not permit new downhill skiing facilities or associated structures in any unit of the national park system. Where such facilities have been provided based on previous policy, their use may continue. Any proposal to eliminate or increase the capacity of such existing facilities will be accomplished through the NPS planning process and involve public participation and an environmental assessment of effects.

(See Recreational Activities 8:2)

MANAGEMENT FACILITIES

Management facilities will be located outside park boundaries whenever the management functions being served can be adequately supported from such a location. When management facilities must be located inside the park, they will be sited where they will not adversely affect park resources or interfere with the visitor experience.

Modular, precut, or prefabricated structures may be used for management facilities, including administrative offices, employee housing, and maintenance structures, when products meeting the

design requirements are available. Standard plans will be modified to reflect regional and park design influences and construction requirements.

(See Use of Historic Structures 5:8, Integration of Facilities into the Park Environment 9:2, Accessibility for Disabled Persons 9:3)

Administrative Offices

The location of administrative offices will be determined by conditions peculiar to each park, including impacts on park resources, availability and adequacy of leasable space outside the park, relationship to adjacent communities, convenience to visitors, weather, energy consumption, comparative costs, commuting distance for employees, and management effectiveness.

(See Energy Management 9:7)

Curatorial Facilities

Park curatorial facilities should be adapted to the needs of each park. They may share space in visitor centers or administrative office buildings or be housed in completely separate buildings; however, incorporation with maintenance facilities should be avoided because of the heightened danger of fire, chemical spills, and similar accidents. Curatorial facilities will meet the collection's special requirements for security, fire suppression, and environmental controls.

(See Museum Objects and Library Materials 5:9, Fire Detection and Suppression 5:13, Environmental Monitoring and Control 5:14)

Employee Housing

The provision of permanent or seasonal residences for employees is subject to the requirements of the Federal Employees and Facilities Act (5 USC 5911); Office of Management and Budget Circulars A-18, A-25, and A-45; departmental regulations; and the *Government Furnished Housing Guideline* (NPS-36).

Government-furnished housing will be constructed, acquired, or retained only where it is determined that the housing units are essential and cost-effective for the accomplishment of park objectives.

Eligible Residents. Park housing will be provided for those persons who are essential to the management and operation of the park, including NPS employees, concession employees, volunteers in the park, essential cooperators (schoolteachers, health personnel, contractors, or state or county employees) and employees of another federal agency.

Design Standards. Because of location, use, and other unique factors, special design concerns must be considered for every housing unit constructed in a park. Housing must be designed to be as much a part of the natural setting as possible, yet be well built and functional. The design of park housing will minimize impacts on park values, comply with the requirements of quality design, and consider regional design and construction influences in accordance with OMB circular A-18 and the *Housing Design and Rehabilitation Guideline* (NPS-76). These standards also apply to concessioner housing.

(See Integration of Facilities into the Park Environment 9:2, Accessibility for Disabled Persons 9:3)

Use of Historic Structures. The utilization of historic structures for government housing is one of several options available to park managers. However, the availability of a historic structure will not justify converting it to employee housing unless there is a demonstrated need for housing in accordance with applicable laws, regulations, and guidelines. Efficient housing management must be addressed in the use or conversion of historic structures for employee housing.

(See Planning and Proposal Formulation 5:4, Use of Historic Structures 5:8)

Trailer Homes. Trailer homes may not be purchased for use as housing in parks, except for short-term temporary use (less than two years). Superintendents may continue to house employees in trailers currently in use until a long-range program in accordance with the approved *Housing Management Plan* has been accomplished to phase out trailers. This also applies to concessioner housing.

Use of Incidentally Acquired Housing Units. Final disposition of acquired housing units will be determined by the general management plan. Housing acquired as part of the land acquisition process may be used for employee housing when consistent with the requirements of applicable laws, regulations, and guidelines. Acquired nonhistoric housing that is not necessary or suitable for management purposes will be disposed of by sale and removal or by demolition. Where plans call for the removal of acquired structures, they will not be used, except on a temporary basis, for employee housing.

Maintenance Structures

Maintenance structures will be consistent in design, scale, texture, and details with other facilities. Optimally, they will be screened or located in areas remote from public use. Wherever feasible NPS and concessioner maintenance facilities will be adjacent and integrated in design to facilitate operations and to reduce impacts on park resources.

(See Accessibility for Disabled Persons 9:3)

Miscellaneous Management Facilities

Installations such as landing sites and airstrips, fire towers, weather monitors, research stations, communication towers, and pump houses will be located and designed to minimize their impact on resources and intrusion on the visitor experience. Wherever possible and efficient, such installations will be located within other park development zones to reduce sprawl. Totally utilitarian facilities, such as maintenance storage yards, sewage lagoons, and solid waste disposal sites, when necessary inside the park, will be sited in remote locations low in resource value.

(See Science and Research 4:2, Inventory and Monitoring 4:4, General Management 5:6, Management Facilities 6:5, Research 6:6, Aircraft Use 8:8, Water Supply and Wastewater Treatment Systems 9:5, Solid Waste Management 9:5, Maintenance Structures 9:16)

DAMS AND RESERVOIRS

Dams and reservoirs will not be constructed in parks. The National Park Service will seek to eliminate existing structures unless they contribute to the historic or recreational resource base of the area or are a necessary part of the park's water supply system.

All dams will be subject to annual safety inspections. Each park with such a facility will prepare an emergency action plan.

(See Emergency Preparedness and Emergency Operations 8:6, Water Supply and Wastewater Treatment Systems 9:5)

COMMEMORATIVE WORKS AND PLAQUES

The term *commemorative work* means any statue, monument, sculpture, memorial, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of a person, group, event, or other significant element of history. Congress has authorized the placing of commemorative works at certain battlefield sites and other parks. In general, monuments or other plaques of a memorial nature commemorating individuals or events will not be erected, and physical features or structures will not be named for individuals, unless the association between the park and the individual or event is of transcendent importance or where authorized by Congress. Except for existing memorializations, generally individuals will not be so honored until at least five years have elapsed since their death. Any commemorative work must be authorized by Congress or approved by the Director (36 CFR 2.62).

Approved commemorative works will be carefully sited to avoid disturbance of natural and cultural resources and values. To the maximum extent possible, a commemorative work will be located in surroundings that are relevant to the subject of commemoration and where it will not encroach upon any existing commemorative work and not interfere with open space and existing public use. Commemorative works that would be aesthetically intrusive or that would adversely affect cultural or natural resources will not be permitted. Plaques or other memorial devices will not be affixed to the historic fabric of structures.

Construction of a commemorative work will not be approved until a determination has been made, based on consultation with knowledgeable persons qualified in the fields of preservation and maintenance, that the work will meet NPS design and maintenance standards. A commemorative work will be constructed of materials suitable to the outdoor environment. Landscape features of commemorative works will be compatible with the local environment.

Memorialization by plaques, naming of features or facilities, or other forms of permanent recognition will not be used to recognize monetary contributions or other donations to a park or the National Park Service. Any exceptions will require specific approval by the Director.

(See Outdoor Sculpture 5:9, Cultural Resources 6:7, Cemeteries and Burials 8:16)

10 Concessions Management

10 Concessions Management

The National Park Service will provide, through the use of concessions, those commercial facilities and services within the parks necessary for visitors' use and enjoyment. Concession development will be limited to that necessary and appropriate for public use and enjoyment of the parks and be consistent, to the highest degree possible, with their preservation and conservation.

When the National Park Service was established in 1916, a provision granting the privilege for the use of land for visitor accommodations was included. In 1965 the Concessions Policy Act (16 USC 20 et seq.) articulated comprehensive legislative direction with respect to the management of the concessions program by the National Park Service. Concession operations throughout the national park system are subject to the provisions of the above legislation and to NPS regulations governing concession contracts and permits (36 CFR 51) and the NPS *Concessions Management Guideline* (NPS-48).

CONCESSION PLANNING

Preference for Out-of-Park Private Enterprise

If adequate facilities exist or can feasibly be developed by private enterprise to serve park visitors' needs for commercial services outside park boundaries, such facilities will not be expanded or developed within parks.

(See Park Planning in a Regional Context 2:9)

Planning Criteria for Park Concessions

Any building program or service authorized in a concession contract or permit will be in conformance with the appropriate approved plan(s) for the area in consideration. A decision to authorize a park concession will be based on a determination that the following conditions will be met:

The facility or service is necessary and appropriate for public use and enjoyment of the park in which it is located.

The use of the facility or service will enhance the use and enjoyment of the park without resulting in impairment of park resources and values.

The facility or service will be located where the least impact on park resources and values will occur.

The number of sites and the locations and sizes of the tracts of land assigned for necessary facilities will be the minimum essential for proper and satisfactory operation of the facilities, consistent with proper spacing and preservation of aesthetic values. Moreover, such developments as are permitted will be constructed so as to be as harmonious as possible with their surroundings.

(See Commercial Services 6:8, Commercial Services 8:3, Facility Planning and Design 9:1, Overnight Accommodations and Food Service 9:12)

Compliance with Cultural and Natural Resource Management Mandates

As federally licensed operators, concessioners will take actions that assist the National Park Service in complying with the regulations for the "Protection of Historic Properties" (36 CFR 800) promulgated by the Advisory Council on Historic Preservation. The lease, use, maintenance, and modification of concession facilities on or eligible for the National Register of Historic Places are subject to the applicable provisions of all laws, executive orders, regulations, and policies pertaining to cultural properties. Historic structures, their contents, and museum objects in the control of concessioners will be treated in accordance with the appropriate standards in the NPS *Cultural Resources Management Guideline* (NPS-28).

Concessioners are similarly required to comply with the applicable provisions of all laws, executive orders, regulations, and policies pertaining to natural resources in parks. Pending the preparation and approval of a natural resource management guideline, concessioners are referred to individual park resource management plans.

(See Chapter 4: Natural Resource Management and Chapter 5: Cultural Resource Management; see also Grazing 8:14)

CONCESSION CONTRACTING

Authorizations

Standard Language. Standard concession contract language will be used in all contracts. Any deviation determined to be essential before or during the development of a fact sheet or prospectus, or during contract negotiations, must be approved in writing by the Director before issuance of these documents. Amendments or other agreements developed after the issuance of a contract must be consistent with current NPS policies, directives, and guidelines unless approved by the Director. If an amendment gives the concessioner anything of value, the National Park Service must receive at least its equivalent value in return.

Standard concession permit language will be used when authorizing permit or limited permit services. If additional conditions or provisions are required over those identified on the official form, they may be added as an addendum to the language, but they cannot be inconsistent with the standard permit language provisions unless approved by the Director.

New Authorizations. The National Park Service is authorized by law to enter into concession contracts and permits without securing competitive bids for new concession operations. However, it is NPS policy to issue a prospectus to actively solicit and invite offers from interested parties when there is a new concession opportunity, when an existing concessioner has been determined to be unsatisfactory, or when an existing concessioner no longer wishes to operate. Any deviation from this policy will require prior approval of the Director.

Renewal of Authorizations. In accordance with the Concessions Policy Act, an existing satisfactory concessioner will be granted preference in the renewal of a concession contract or permit. The National Park Service will publish a fact sheet stating the terms and conditions under which it intends to negotiate a new concession contract or permit with the existing satisfactory concessioner. The existing concessioner will have the right to meet the terms of any responsive offers considered to be more favorable to the Park Service. If an existing satisfactory concessioner fails to submit a responsive offer pursuant to a fact sheet or does not meet the terms of another offer considered more favorable to the Park Service, the concession authorization will be granted to the other offerer. If no responsive offers are received, the concession opportunity will be readvertised by prospectus with no preferential right to renewal.

Any meeting with the existing concessioner or other outside parties during the contract planning process will be well documented. The requirements of the fact sheet will represent the needs of the National Park Service and will not be tailored or fashioned to reflect the needs or capabilities of the existing concessioner. Information will be equally available to anyone interested in submitting an offer. No persons except NPS personnel will read or review fact sheets prior to public release of the final document. As long as these criteria are met, contact with anyone prior to the preparation of fact sheets will be permissible for the purpose of gathering information.

(See Facilities and Services 10:7)

Commercial Use License. Commercial use licenses are used to authorize commercial activities that serve the visiting public and that are initiated and terminated outside the park. Commercial use licenses will not be limited in number. All aspects of business activities (for example, advertising and exchange of money) performed by commercial use licensees will take place outside park boundaries. The issuance of commercial use licenses is subject to the criteria contained in the *Concessions Management Guideline.*

(See Advertising 10:10)

Extensions. Extensions of concession contracts and permits will not be allowed except in unusual and rare circumstances when approved by the Director. If a new long-term contract cannot be prepared and in place prior to expiration of the old contract, then a standard-language concession contract containing the most recent standard language will be issued for a period not to exceed five years. A construction program is optional depending upon economic feasibility. As expeditiously as possible a new long-term contract will be awarded, at which time the short-term authorization will be superceded and cancelled.

(See Concession Building and Improvement Program 10:5, Design and Construction 10:6)

Sales and Transfers. Concessioners or parties holding an ownership interest in a concession may not sell, assign, or transfer their interest, or part of their interest, to another party without the prior written approval of the Director. The Director may choose not to approve a proposed sale or transfer at his discretion or may place such appropriate conditions on any approval as are necessary to protect the public interest.

Debt incurred for purchase, or the purchase price paid for a concession, will not be used as justification for (1) a rate increase beyond the point of reasonable comparability pursuant to section 3c of the Concessions Policy Act (16 USC 20b(c)), (2) a waiver or reduction of franchise fees, or (3) a claim that a reasonable opportunity to realize a profit pursuant to section 3b of the Concessions Policy Act (16 USC 20b(b)) is being denied.

The purposes of NPS review of transfers of interest are to ensure that (1) the concessioner will be in a legal, managerial, and financial position to meet the terms of the contract and provide the

appropriate services to the public; (2) the liability of the government for possessory interest compensation is not increased; (3) monopolies are not allowed in less than fully regulated areas; (4) contract terms and conditions will be in accordance with current standards; and (5) the sale is otherwise in the public interest, as determined by the Director.

A proposed transfer of interest will be subject to the same evaluation as is performed for offers in response to an NPS solicitation, as well as any additional conditions that may be imposed by the Park Service pursuant to 36 CFR 51.7(e).

Preference for Blind Vendors Under the Randolph-Sheppard Act. When new concession opportunities for the operation of vending facilities become available, the National Park Service is authorized by law to give priority in the award of the contracts or permits to licensed blind vendors.

Minority Business. Pursuant to a cooperative agreement between the National Park Service and the Minority Business Development Agency, and to ensure maximum information and assistance to potential minority concessioners, the Minority Business Development Agency will be advised of the availability of concession opportunities before they are publicly announced.

Cooperating Associations. In certain circumstances and with NPS approval, cooperating associations may sell, under concession authorizations, visitor convenience items unrelated to the park theme, as described in the *Concessions Management Guideline* and the *NPS Cooperating Associations Guideline* (NPS-32). A concessioner and an association will generally not operate duplicative, competitive sales outlets in the same building; however, compatible sales arrangements may occasionally be established.

(See Cooperating Associations 7:5, Merchandise and Handcrafts 10:8)

Hostels. Hostel operations within parks fall within the purview of the Concessions Policy Act and may be authorized by a concession contract or a concession permit. Hostlers authorized to operate within parks will not require membership in any organization for the use of the services or facilities at the concession operation, and they will not discriminate in rates charged to any members of the general public or offer discounts on rooms, preference in reservations, or any other advantages exclusively to its members. Rates will be approved by the National Park Service.

(See Cooperative Trail Planning 9:10, Hostels and Shelters 9:13)

Leasing of Historic Structures. Leasing of historic structures to provide visitor facilities and services is subject to the provisions of the Concessions Policy Act and regulations and guidelines governing concession management and also to section 111 of the National Historic Preservation Act (16 USC 470h(3)), 36 CFR 18, and the *Historic Property Leasing Guideline* (NPS-38).

(See Structures 5:6, Historic Property Leases 5:15)

Contract Provisions

Length of Term. Notwithstanding the statutory limitation for concession contracts and permits of 30 years, the term of all contracts will be kept to the minimum length consistent with a reasonable opportunity for profit and consistent with the amount of capital to be invested. Any proposed term of contract exceeding 15 years will require written approval by the Director. The term of concession permits will be limited to a maximum of five years.

Subconcessions. Subconcessions are not encouraged by the National Park Service and will be allowed pursuant to a concession contract only if (1) the proposed subconcession operation is essential to provide better service to the public, and (2) the prime concessioner furnishes the basic facilities needed to provide the service. Any proposed subconcession contract or agreement must be approved by the regional director before becoming effective.

A concessioner involved in a subconcession agreement must pay the National Park Service 50 percent of any and all fees, commissions, or compensation received from the subconcessioner in addition to the prescribed percentage of the subconcessioner's gross receipts.

Concession Building and Improvement Program. Concessioners will be required to make capital investments for necessary new construction and for major repairs or improvements to government-owned facilities that directly support concession operations. Such construction or improvements may include structures, roads, parking lots, utility systems, and breakwaters.

Concessioner expenditures will be consistent with a reasonable opportunity for the concessioner to realize a profit on its operations as a whole. Where new construction or capital improvements are determined through the NPS planning process to be necessary for the accommodation of park visitors and to be economically feasible, they will be made by the concessioner. However, if the National Park Service determines that the required new construction or improvements are necessary but not economically feasible, such improvements may be made by the Service subject to the availability of appropriated funds.

The concessioner making capital improvements affixed to the real estate on government-owned facilities will have a possessory interest in the improvements to the extent of book value unless compensation at less than book value is included in the contract.

The concessioner making capital improvements affixed to the real estate on other-than-government-owned facilities will have a possessory interest in the improvements to the extent of sound value unless otherwise provided in the contract.

(See Concession Facilities 10:6)

Operating and Maintenance Plans. Concessioners will be responsible for all maintenance and repair of assigned facilities and lands, including both government and concessioner improvements, to the satisfaction of the Secretary of the Interior. Exceptions will be made only when full maintenance responsibility is not economically feasible for the concessioner. Maintenance of historic structures will follow historic structure preservation guides, as outlined in the *Cultural Resources Management Guideline* (NPS-28).

Procedural, administrative, and performance requirements that affect service to visitors, maintenance, or park-concessioner relationships must be clearly defined to ensure understanding by both the National Park Service and the concessioner. When such items are too detailed or revised too frequently to be included in the contract or permit, they will be defined in a maintenance plan or an operating plan. Approval authority for these plans is delegated to the superintendent.

Maintenance and operating plans will serve as supplements to the authorization, but they are not to be used to amend the contract/permit or to alter the rights and liabilities of the parties to the contract/permit.

CONCESSION ADMINISTRATION

Concession Facilities

Design and Construction. Plans and specifications for buildings and other structures to be built or rehabilitated by a concessioner, including plans for landscaping, will be prepared at the expense of the concessioner. Plans and specifications will be submitted to the superintendent for approval by an appropriate NPS authority at both the comprehensive design and project planning stages, before construction is begun. Approved plans will be adhered to by the concessioners during construction. Plans for concession facilities are subject to all the planning, environmental compliance, design, and historic preservation standards applicable to development in the national park system.

(See Chapter 9: Park Facilities)

Utility Rates. Charges for utilities (including but not limited to electric power, water, wastewater and solid waste disposal, and communications systems) provided to concessioners by the National Park Service will be based on operating costs (not including existing capital investments) or on comparability, whichever is greater. Concessioners will be permitted to pass through to visitors utility costs that exceed comparable utility charges. When excess operating costs are so extraordinarily high that they could jeopardize the economic viability of the concession, and when they cannot practicably be passed through to visitors through price increases, utility charges may be adjusted downward, but not lower than comparable utility costs. Utility charges will not include the installation and other capital costs of the physical plant for existing utility systems. Cost-sharing and other means of capital cost recovery will be pursued in the planning for new or expanded utility systems and when major rehabilitation or replacement occurs.

(See Utilities 9:5, Concession Building and Improvement Program 10:5)

Accessibility for Disabled Persons. Concessioners share the National Park Service's responsibility to provide the greatest degree of access practicable for both employees and visitors to facilities and services, within the terms of existing contracts and agreements. Where there is no specific language regarding accessibility in an existing concession contract, the National Park Service will address the issue of compliance in the annual concession operating plan. When new contracts are negotiated or new construction occurs, access requirements and a schedule for achieving them will be included.

(See Physical Access for Disabled Persons 5:14, Interpretation for Special Populations 7:4, Accessibility for Disabled Persons 8:5, Accessibility for Disabled Persons 9:3)

Smoking in Public Buildings. Concessioners will provide an equitable balance of designated smoking and nonsmoking areas. Small enclosed areas, such as restrooms, elevators, stairways, boats, and buses, will be designated as nonsmoking areas.

Trailer Villages. Existing trailer villages occupied by nonemployee residents on a long-term basis, operated under the terms of concession authorizations, may continue in conformance with rules and regulations established by each superintendent. New trailer facilities for nonemployees may be established only for transient visitor occupancy.

Rates Charged to Visitors

Rate Administration Program. Rates charged by concessioners will be approved by the National Park Service. Approval will be based on a determination that charges to the public are comparable with those for similar levels of service and facilities provided in the private sector. Such

determination will be in accordance with established rate study procedures set forth in the *Concessions Management Guideline.*

Low-Cost Lodging Accommodations. Where overnight accommodations are provided in a park, the concessioner will maintain a reasonable proportion of accommodations at low prices.

Concessioner Review Program

Facilities and Services. Concession operations will be evaluated to ensure that park visitors are provided quality services and facilities that are safe, sanitary, attractive, and at standards they would expect from the private sector operating outside parks. Evaluation results will be the basis for management determinations of whether to continue or terminate a concession authorization and whether a concessioner should be granted a right of preference for renewal.

(See Renewal of Authorizations 10:3)

Concessions Loss Control. It is the responsibility of each concessioner to provide a safe and healthful environment for all employees and visitors through the development of a documented safety program approved by the superintendent. The program, when fully implemented, will include a self-inspection of all equipment, facilities, and work processes by concessioner personnel qualified to determine compliance with established safety and occupational health regulations, and be in accordance with the Occupational Safety and Health Act and the National Park Service concessions loss control program as described in the *Concessions Management Guideline.*

(See Visitor Safety and Protection 8:5)

Food Sanitation. All food-service facilities and operations in areas under NPS control, including YCC camps, youth hostels, and environmental education camps, will meet the design, construction, and operational criteria recommended by the U.S. Public Health Service. Food service operations are subject to substantive compliance with the laws and regulations of the state and locality where the park facility is located.

(See Visitor Safety and Protection 8:5)

Insurance Program

The National Park Service will establish certain minimum types and amounts of insurance coverage required of concessioners and other commercial operators in order to (1) provide reasonable assurance that concessioners have the ability to cover bona fide claims for bodily injury, death, or property damage arising from an action or omission of the concessioner, (2) protect the government against potential liability for claims based on the negligence of its concessioners, and (3) enable rapid repair or replacement of essential visitor facilities damaged or destroyed by fire or other hazard. Concessioners will not be permitted to operate without liability insurance. Under limited conditions, concessioners may operate without property insurance as described in the *Concessions Management Guideline.*

Financial Administration

Opening Balance Sheet. All new concessioners operating pursuant to a contract will submit a balance sheet to the National Park Service effective as of the beginning of the first day of operation.

System of Recordkeeping. Each concessioner will establish and maintain a system of recordkeeping utilizing written journals and general ledger accounts to facilitate the preparation of the concessioner annual financial report (form 10-356).

Financial Statement. Concessioners whose operations gross $1 million or more annually will provide the National Park Service with audited financial statements on which an auditor's opinion has been expressed by an independent certified public accountant. Concessioners whose operations gross between $250,000 and $1 million annually will provide the Park Service with financial statements on which a "review" has been performed by an independent certified public accountant. The auditor's report on the review will accompany the financial statements.

Concessioners whose operations gross less than $250,000 annually will submit financial statements that they certify to be complete and correct. No independent audit, review, or compilation will be required.

Franchise Fees. The probable value of a concession contract or permit will be reflected in the franchise fee paid to the National Park Service. Such rate will be determined in accordance with the NPS franchise fee system, as described in the *Concessions Management Guideline*. In addition, for those concessioners who use government-owned facilities, a building-use fee based on fair value will be charged after taking into consideration the financial feasibility of the operation.

The franchise fee for concessioners under concession contract will be in the form of a percentage of the concessioner's annual gross receipts. The fee for concessioners under concession permits may be a flat dollar amount or a percentage of gross receipts.

No concession contract or permit will be amended, extended, or renewed without the written approval of the Director if it reduces or eliminates the existing franchise fee. No concession permit with an annual franchise fee of less than $100 will be issued without the written approval of the regional director.

Waivers of franchise fees are discouraged but may be granted by the regional director when relief is warranted because of exceptional circumstances beyond the concessioner's control. The criteria for determining such circumstances are outlined in the *Concessions Management Guideline*.

(See Merchandise and Handcrafts 10:8)

Fees Charged for Government Facilities Assigned to Concessioners. All buildings, structures, or facilities assigned for concessioner use will provide for an annual fair value return determined in accordance with acceptable industry practices. The appraised value may be adjusted to reflect all the judgmental factors regarding reasonable profit, as stated in the Concessions Policy Act.

(See Utility Rates 10:6)

Sales and Services

Merchandise and Handcrafts. When merchandise sales are authorized, the categories allowed will be those that contribute to visitor use and enjoyment of the park or fulfill the needs of the traveling public. Such categories may include but are not limited to groceries, camping supplies, automobile needs, personal items, clothing, toys, film, books and publications, and gifts or souvenirs of a type the public would generally expect to find available in a similar retail outlet outside the park.

In the selection of gift merchandise, priority will be given to items, especially handcrafts, that are representative of the park or its geographic region. The revenue derived from the sale of

U.S. handcrafts and authentic native American handcrafts will be exempt from the franchise fee payment.

So far as is practical, merchandise offered in each category should represent a range of price and quality. Foreign-made merchandise is not encouraged but will not be prohibited.

Concessioners may not sell merchandise that violates conservation principles. The sale of original prehistoric or historic archeological artifacts or vertebrate paleontologic specimens is prohibited. Clearly labeled replicas of such artifacts and specimens may be sold. More detailed definitions of handcrafts and of prohibited items are contained in the *Concessions Management Guideline.*

(See Cultural Demonstrators 7:4, Cooperating Associations 10:4)

Interpretation. Concessioners will provide all authorized services in ways that are consistent with and supportive of the interpretive themes, goals, and objectives of the parks where they operate. Where practicable, concessioners will be encouraged to assist in park interpretation as a method of supplementing park staff and funds and contacting more park users. Concessioner interpretive efforts will be directed and monitored by the National Park Service to ensure that they meet the quality standards applied to NPS interpretive programs, exhibits, and displays.

(See Nonpersonal Services and Media 7:3, Interpretation by Others 7:4)

Reservations and Conventions. Concessioners may accept reservations and deposits for visitor services, so long as procedures are established to ensure that

> the primary purpose of the concessioner accommodations and services will continue to be to provide for general public use and enjoyment of the parks
>
> services will be available to a broad spectrum of visitors
>
> no one category of visitors will gain special privileges, whether through group affiliation, prepayment of substantial advance rental, or other means

Group tours will be encouraged throughout the season, but in balance with demand from visitors who travel independently. Concessioners will be encouraged to seek convention business in the off-seasons and at other times when facilities are underutilized, because resulting revenues may provide the margin needed to keep the concession operation open for the general public.

Recycling and Beverage Container Program. The National Park Service encourages the use of biodegradable, recyclable, or reusable materials so as to minimize solid waste and conserve natural resources to the fullest extent possible. Concessioners are required to use recyclable containers where there is a market for such containers within a reasonable distance. All beverage containers will be returnable unless the superintendent determines that the recycling of such containers would be impractical. Criteria for exceptions are set forth in the *Concessions Management Guideline.*

(See Solid Waste Management 9:5)

Viewing Devices. Concessioners may install and operate viewing devices (pedestal binoculars or telescopes) at appropriate park locations when the superintendent determines that such devices are desirable for meaningful interpretation or understanding of the resource. The superintendent will approve in writing their number, location, an appropriate maintenance standard, and whether they

are to be free or coin-operated. If coin-operated, the rate to be charged will be approved by the superintendent and be administered under a concession authorization.

(See Chapter 7: Interpretation and Education; see also Viewing Devices 9:12)

Other

Advertising. In accordance with 36 CFR 5.1, advertising within the park will be permitted only for those goods, services, and facilities within the park and if deemed to be necessary for the convenience and guidance of the public and approved by the superintendent in writing. Billboard advertising is prohibited in NPS-administered areas and discouraged outside parks. All concessioner advertising and other public information materials are subject to prior approval by the National Park Service.

Employment of NPS Personnel or Family Members. All instances of employment by a concessioner of the spouse or minor children of an NPS employee will have the prior written approval of the official in charge of the employee's park or office (superintendent, regional director, or Director). Such approval will generally be granted except for the spouses or minor children of excepted persons, which is defined to mean superintendents, assistant superintendents, concession specialists, and others who have official responsibilities for concession management, evaluation, rate approval, or contract compliance concerning that particular concessioner. Approval for concession employment of these excepted persons may be granted only by the Director.

No NPS employees or their resident family members may be owners, partners, corporate officers, or general managers of any business conducting commercial visitor services in a park, nor may NPS employees or their resident family members have a financial interest in such a company. Ownership of stock shares traded in a recognized open market is not considered a financial interest under this policy. Excepted persons and their families, however, may not own stock shares in concessions for which they have concession management responsibility.

Accepting Reduced Rates and Items of Nominal Value from Concessioners. NPS employees may not receive concessioner goods or services at a discount unless it is in connection with official business, is to the government's advantage, and is provided for under the terms of the concession authorization. Employees may, however, accept the same reduced rates or discounts offered by the concessioner to the general public.

NPS employees may not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a concessioner or other person who conducts operations or activities that are regulated by the Department of the Interior. However, employees may accept food and refreshments of nominal value on infrequent occasions in the ordinary course of official luncheon or dinner meetings where an employee may properly be in attendance, and they may accept unsolicited promotional material of nominal value from concessioners. The Office of Government Ethics interprets luncheon or dinner meetings to include real working meetings where the meal is incidental, large group affairs at which the employee is the guest speaker, or an affair which is covered by an approved agency exception. Since the regulations governing this matter (43 CFR 20.735) are subject to interpretation, to avoid any conflict of interest or appearance of such conflict, employees should consult with their assistant ethics counselor on specific situations.

Fund Raising and Philanthropy. The National Park Service will neither knowingly solicit nor accept gifts from concessioners or their principals or beneficial owners, nor permit others to do so on its behalf, when such gifts may involve a conflict of interest or an appearance of conflict or when a gift is to be used for a service to or on behalf of a concessioner. The National Park

Service will not require any concessioner to donate or make contributions to the National Park Service under any circumstances, including the incorporation of such a requirement in concession contracts or permits.

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